

EXHIBIT 1

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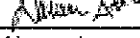
5 Attorneys for Plaintiffs
6 RUBEN JUAREZ and ISELA HERNANDEZ

Electronically
FILED

by Superior Court of California
County of Los Angeles on

02/28/17

Sherri R. Carter, Executive Officer/Clerk

By  Deputy
Dawn Alexander

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES - UNLIMITED JURISDICTION

11 RUBEN JUAREZ, an individual and
12 ISELA HERNANDEZ, an individual

13 Plaintiffs,

14 v.

15 PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20

16 Defendants.

Case No. BC650229

COMPLAINT FOR DAMAGES

GENERAL NEGLIGENCE
STRICT LIABILITY
FAILURE TO WARN
LOSS OF CONSORTIUM

JURY TRIAL DEMANDED

18 Plaintiffs RUBEN JUAREZ and ISELA HERNANDEZ hereby file this Complaint for
19 Relief and Demand for Jury Trial against Defendant PRECISION VALVE & AUTOMATION,
20 INC., (a New York Corporation) and alleges as follows:

21 PARTIES AND JURISDICTION

22 1. The Plaintiffs RUBEN JUAREZ and ISELA HERNANDEZ reside in Granada
23 Hills, CA [REDACTED], in the County of Los Angeles within the State of California. During all relevant
24 time, Plaintiff ISELA HERNANDEZ is Plaintiff's RUBEN JUAREZ's lawful wife.

25 2. During all relevant time, the alleged injuries occurred in the County of Los
26 Angeles within the State of California.

27 3. Defendant PRECISION VALVE & AUTOMATION, INC. ("PVA") is a New
28 York Corporation and its principal place of business is 1 Mustang Drive, Cohoes, New York,

COMPLAINT

E-SCANNED FSC:08/14/18 TRIAL: 08/28/18 OSC : 02/28/20

CASE #:BC650229 RECEIPT #: 1170303D3451 DATE PAID : 03/3/17 9:25 AM TOTAL : 435.00 TYPE : EFT

BC650229

1 12047.

2 4. Defendant PVA designed, manufactured, and sold PVA 350, a benchtop
3 dispensing / coating system that sprays chemicals to circuit boards.

4 5. Before 2012, PVA designed, manufactured, and sold at least a PVA 350 to one of
5 Space Exploration Technologies Corp. ("Space X") California locations in Hawthorne, CA, a
6 County of Los Angeles.

7 6. On information and belief, before the sales of the PVA 350, PVA had samples of
8 the chemicals to be sprayed by the PVA 350. As a result, PVA knew or should have known the
9 toxicity of the chemicals to be used by the PVA 350.

10 7. Plaintiffs are unaware of the true names and capacities of those Defendants sued
11 herein as DOES 1-20, inclusive, and therefore sues said Defendants by such fictitious names.
12 Plaintiffs will amend this Complaint to allege the true names and capacities of said Defendants,
13 when the same have been ascertained, together with such other charging allegations as may be
14 appropriate.

15 8. Plaintiffs are informed and believe, and thereupon allege, that each Defendant
16 designated as a DOE is responsible, negligently or in some other actionable manner, for the
17 events and happenings hereafter referred to, and caused injuries and damages proximately thereby
18 to plaintiffs, as hereinafter alleged, either through said defendants' own negligent conduct, or
19 through the conduct of their agents, servants or employees, or in some other manner as yet
20 unknown.

21 9. Plaintiffs are informed and believe, and thereupon allege, that at all times
22 mentioned herein, defendants and each of them, were the agents, servants, employees,
23 independent contractors and/or joint venturers of their co-defendants and were, as such, acting
24 within the scope, course and authority of said agency, employment, contract, and/or joint venture,
25 or acting in the concert, and that each and every defendant, as aforesaid, when acting as a
26 principal, was negligent in the selection, hiring, training, control, and supervision of each and
27 every other defendant as an agent, servant, employee, independent contractor and/or joint venture.
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1 10. At some or all relevant herein, each Defendant was the agent of each other
2 defendant, each Defendant was acting within the court and scope of that agency, each Defendant
3 ratified the conduct of the other Defendants with actual and/or constructive knowledge of such
4 conduct, and each Defendant was subject to and under the supervision of the other defendant.

5
6 **GENERAL ALLEGATIONS**

7 11. PVA 350 is a benchtop dispensing / coating system that sprays chemicals to circuit
8 boards, manufactured, designed, supplied, installed, inspected, repaired, and sold by Defendant
9 PVA. Once programmed, PVA can automatically spray chemicals without an attendant
constantly on duty.

10 12. PVA 350 does not have an automatic shutoff and does not sound an alarm when
11 the ventilation / exhaust is not in operation. In other words, PVA 350 is designed to continue to
12 spray chemicals even when the ventilation / exhaust is not in operation. Furthermore, there is no
13 warning anywhere about this.

14 13. On information and belief, to add the automatic shutoff, PVA only needs to
15 include an airflow sensor or something similar.

16 14. On January 2012, Plaintiff RUBEN JUAREZ started working for Space X as a
17 programmer for a PVA 350 that sprayed chemicals to circuit boards at Space X's Hawthorne, CA
18 location. Plaintiff RUBEN JUAREZ worked there with the PVA 350 until May or June of 2014.

19 15. During Plaintiff RUBEN JUAREZ's time at Space X, Plaintiff RUBEN JUAREZ
20 was in charge of programming the PVA 350 to spray Arathane® 5750A, Arathane® 5750B,
21 Arathane® 5750A/B, Humiseal®, Humiseal® thinner, and Isopropyl Alcohol.

22 16. PVA trained Plaintiff RUBNE JUAREZ that in order to verify whether the
23 equipment correctly sprayed the chemicals, Plaintiff RUBNE JUAREZ had to stick his head into
24 the spraying chamber of the PVA 350 to verify. He had to do this because the spray is usually
25 transparent and is very fine with tiny thickness and therefore, a naked eye cannot identify whether
26 or not certain part of the circuit board has been sprayed or the thickness of the spray. The only
27 way to verify this is to use a black light and poke his head inside the PVA 350 to check. He could
28

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1 not take the circuit board out of the PVA 350 to verify this because it is wet and thus, any
2 handling of the board would destroy the accuracy of the spray.

3 17. During Plaintiff RUBEN JUAREZ's time at Space X from 2012 to 2014, he had
4 confirmation that the ventilation system was not in operation many times: he asked his co-worker
5 why it always smelt so bad in the room, the co-worker told Mr. Juarez that he just realized that he
6 had forgotten to turn on the ventilation system. Plaintiff RUBEN JUAREZ also noticed that
7 chemicals often leaked out of the PVA 350 from the bottom.

8 18. When the exhaust fan was not in operation, Plaintiff RUBEN JUAREZ breathed in
9 the toxic chemicals during the verification process because his head was directly emerged inside
10 the PVA 350 with the toxic chemicals floating inside it.

11 19. In addition, when the exhaust fan was not in operation, the toxic chemicals leaked
12 out of the PVA 350. Plaintiff RUBEN JUAREZ on average spent about 60% of his days standing
13 right next to the PVA 350.

14 20. Plaintiff RUBEN JUAREZ did not suspect that the chemicals may have caused his
15 injuries until March of 2015 when he, for the first time, received the MSDS of the chemicals.

16 21. During the entire time, none of the treating physicians suspected that chemical
17 exposures could have been the cause of his symptoms, due to the fact that none knew that
18 Plaintiff RUBEN JUAREZ was working with chemicals. His medical records list his
19 employment as "computer programmer."

20 22. The MSDS of Arathane® 5750A shows that it contains chemicals toluene,
21 diphenylmethane 4, 4'-diisocyanate, MDI Homopolymer, methylenediphenyldiisocyanate
22 ("MDI"), and triethyl phosphate. It further provides that the chronic health effects from the
23 exposure to the chemicals "can cause target organ damage" that include "upper respiratory tract,"
24 "the nervous system . . . brain, central nervous system (CNS)."

25 23. The MSDS of Arathane® 5750B shows that it contains chemicals toluene,
26 hydroxylated polybutadiene, methyl ethyl ketone, 1, 1'-phenyliminodipropan-2-ol. It further
27 provides that the chronic health effects of exposure to the chemicals "can cause target organ
28

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1 damage” including “the nervous system . . . brain, gastrointestinal tract, central nervous system
2 (CNS).” Over-exposure will aggravate the medical conditions.

3 24. The MSDS of Humiseal® shows that it contains chemicals toluene, acetone,
4 xylene, ethyl benzene, methyl ethyl ketone, dimethyl ether, heptane, ethyl 3 ethoxy propionate,
5 and oil mod. Polyurethane. It further provides that inhalation of the chemicals can “[c]ause
6 irritation of nasal passages and throat” and “stupor (central nervous system depression).”
7 “Significant exposure to these chemicals may adversely affect people with chronic disease of the
8 respiratory system” and “central nervous system.” And an inhalation may “cause mild
9 nausea/dizziness.”

10 25. The MSDS of Humiseal® thinner 521 EU that it contains chemicals xylene. It
11 further provides “[s]ignificant exposure to these chemicals may adversely affect people with
12 chronic disease of the respiratory system [and] central nervous system.” Inhalation may cause
13 nausea/dizziness.

14 26. The MSDS of IPA provides that prolonged exposure may result in nose, throat,
15 and central nervous system depression. “Acute CNS depression may be manifested as giddiness,
16 headache, dizziness, and/or nausea.”

17 27. The scientific community has generally accepted the effects of prolonged exposure
18 to these chemicals. For example, Center of Disease Control’s (“CDC”) publishes that
19 “[s]ymptoms of toluene poisoning include CNC effects (headache, dizziness, ataxia, drowsiness,
20 euphoria . . . respiratory depression, nausea . . . electrolyte imbalances).” United States
21 Department of Labor Occupational Safety and Health Administration notes that symptoms of
22 toluene exposure include “weakness, exhaustion, confusion, euphoria, dizziness, headache . . .
23 anxiety, muscle fatigue, insomnia” and that “long term and repeated workplace exposure to
24 toluene affect the central nervous system.” Environmental Protection Agency (“EPA”) also notes
25 that chronic effect of toluene exposure can cause “CNS depression,” leading to drowsiness,
26 headache, dizziness, and neurobehavioral effects.

27 28. Similarly, symptoms from exposure to MDI include “headache, sore throat . . .
28

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1 chest tightness.” A study of 203 school children who were exposed to MDI shows that 70.9%
2 reported headache, and 62.6% reported nausea. The effects of chronic exposure of MDI include
3 “headache, nausea and muscle aches. “There are also case reports of neurological effects” of
4 “headaches, forgetfulness, mood alterations, irritability, and difficulty concentrating.” “[T]here
5 was evidence of emotional distress in the form of depression, anxiety, and altered mentation.”

6 29. On information and belief, before a benchtop dispensing system is designed and
7 manufactured by PVA, Space X sends samples of its toxic chemicals to PVA for customization.
8 So, PVA knew or should have known the exact type of chemicals used by its PVA 350 and the
9 dangerous health consequences from exposure to these chemicals if the exhaust/ventilation is not
10 in operation.

11 30. Plaintiff RUBEN JUAREZ, a previously healthy man, who rarely went to see
12 doctors, after six months into the job, on June 27, 2012, went to urgent care for palpitations and
13 presyncope (lightheadedness, muscular weakness, blurred vision, and feeling faint). He also
14 complained about shortness of breath. All of these symptoms are well documented as chronic
15 exposure to these toxic chemicals by the scientific community.

16 31. From June of 2012 to present, Plaintiff RUBEN JUAREZ has had over 9
17 hospitalizations for symptoms associated with toluene, MDI, and other toxic chemical exposure.
18 In addition, he has had at least 21 visits to urgent care /emergency room for symptoms associated
19 with the toxic chemical exposure.

20 32. His current medications include Oxycodone, Norco, Topamax, Depakote, and
21 Ondansetron for migraine, Wellbutrin and Xanax for depression, Flonase and Allegra-D for
22 respiratory issues, Deltasone for chest tightness, and Protonix for stomach problems causing from
23 the drug cocktail.

24 33. His current conditions include severe headache, nausea, short of breath, dizziness,
25 memory loss, out of balance, respiratory issues, and stomach pain from the medications. He also
26 has suicidal thoughts once a week: sometimes his migraines are so severe that he hopes that he
27 just does not wake up the next day. He also has sleeping problems.

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1 34. Due to the continuing medical treatment, hospitalization, and urgent care visits,
2 Plaintiff has not worked since May or June of 2014.

3 35. Plaintiff RUBEN JUAREZ lives with his 12-year-old daughter and his wife
4 Plaintiff ISELA HERNANDEZ.

5 **FIRST CAUSE OF ACTION**

6 **NEGLIGENCE**

7 **(Against all Defendants)**

8 36. Plaintiffs refer to paragraph 1-35 above and incorporate them into this cause of
9 action as though fully set forth herein.

10 37. Defendants designed, manufactured, supplied, installed, inspected, and repaired
11 the PVA 350.

12 38. First, Defendants were negligent in designing, manufacturing, supplying,
13 installing, inspecting, and repairing the PVA 350. In particular, Defendants failed to use the
14 amount of care in designing, manufacturing, inspecting, installing, and repairing the PVA 350
15 that a reasonably careful designer, manufacturer, supplier, installer, repairer would use in similar
16 circumstances to avoid exposing Plaintiff RUBEN JUAREZ, a programmer of the PVA 350, to a
17 foreseeable risk of harm. Furthermore, Defendants' design violated Cal-OSHA, which requires
18 that "When spray is automatically applied without an attendant constantly on duty, the operating
19 control of spray apparatus shall be so arranged that spray cannot be applied unless exhaust fans
20 are in operation." (Title 8 of Cal. Code of Regulations, § 5153.)

21 39. Second, Defendants knew or reasonably should have known that the PVA 350 was
22 dangerous or was likely to be dangerous when used or misused in a reasonably foreseeable
23 manner. Defendants failed to adequately warn of the danger.

24 40. Third, Defendants became aware of this defect after the PVA 350 was sold and
25 Defendants failed to recall/retrofit or warn of the danger of the PVA 350. A reasonable
26 manufacturer/distributor/seller under the same or similar circumstances would have recalled,
27 retrofitted the product.
28

1 41. Plaintiffs were harmed.

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2 42. Defendants' negligence was a substantial factor in causing Plaintiffs' harm.

3 **SECOND CAUSE OF ACTION**

4 **STRICT PRODUCT LIABILITY**

5 **(Against all Defendants)**

6 43. Plaintiffs refer to paragraph 1-42 above and incorporate them into this cause of
7 action as though fully set forth herein.

8 44. The PVA 350 contains a design defect that it does not stop spraying toxic
9 chemicals or sound any alarm when the ventilation / exhaust is not in operation. It continues to
10 spray toxic chemicals even when the ventilation / exhaust is not in operation without sounding
11 any alarm about it.

12 45. The PVA 350 also did not have warning of the potential safety hazard when the
13 ventilation / exhaust is not in operation.

14 46. The PVA 350 did not perform as safely as an ordinary consumer would have
15 expected it to perform when used or misused in an intended or reasonably foreseeable way.

16 47. Plaintiffs were harmed.

17 48. The PVA's failure to perform safely was a substantial factor in causing Plaintiffs'
18 harm.

19 **THIRD CAUSE OF ACTION**

20 **LOSS OF CONSORTIUM**

21 **(Against all Defendants)**

22 49. Plaintiffs refer to paragraph 1-49 above and incorporate them into this cause of
23 action as though fully set forth herein.

24 50. Defendants' wrongful conduct, acts and omissions, were a substantial factor in
25 causing Plaintiff ISELA HERNANDEZ to sustain loss of love, care, companionship, comfort,
26 assistance, protection, society, moral support from Plaintiff RUBEN JUAREZ, in an amount
27 according to proof.
28

PRAYER

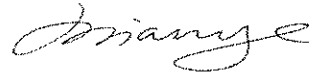
BC650229

WHEREFORE, Plaintiffs pray for judgment against Defendants, each of them, as follows:

1. For general and noneconomic damages according to proof;
2. For special and economic damages according to proof;
3. For costs of suit;
4. For attorneys' fees as allowed by law;
5. Pre-judgment interest; and
6. For such further relief as the Court deems just and proper.

Dated: February 27, 2017

LAW OFFICES OF TERESA LI, PC



Teresa Li
Attorneys for Plaintiffs
RUBEN JUAREZ and ISELA HERNANDEZ

EXHIBIT 2

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Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO.
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	NOTICE OF REMOVAL UNDER
	)	28 U.S.C. § 1441(a) (DIVERSITY)
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	
)	
)	
)	

TO THE HONORABLE CLERK OF THE UNITED STATES DISTRICT COURT,
PLEASE TAKE NOTICE:

Pursuant to Title 28 U.S.C. sections 1332, 1441(a) and 1446, Defendant Precision Valve & Automation, Inc. (hereinafter "Defendant" or "PVA") hereby removes this action from the Superior Court of the State of California, County of Los Angeles, to the United States District Court for the Central District of California and sets forth in support of its Notice of Removal the following:

1. On or about February 28, 2017, Plaintiffs filed this lawsuit, entitled Ruben Juarez and Isela Hernandez v. Precision Value & Automation, Inc., Case No. BC650229,

1 against PVA in the Superior Court of California, County of Los Angeles. (*See* Complaint
2 attached hereto as Exhibit A.)

3 2. On April 5, 2017, service of the Summons and Complaint was completed upon
4 PVA pursuant to California Code of Civil Procedure (“CCP”) section 415.30(c). On that date,
5 PVA’s attorney signed and returned plaintiffs’ Notice of Acknowledgement of Receipt
6 (“NOAR”) of plaintiffs’ complaint. (See NOAR and email attached hereto as Exhibit B.)
7 Service of the complaint upon PVA was deemed complete upon this date, April 5, 2017,
8 pursuant to CCP section 415.30(c) which states “[s]ervice of a summons pursuant to this section
9 is deemed complete on the date a written acknowledgement of receipt of summons is executed,
10 if such acknowledgement thereafter is returned to the sender.”

11 3. Plaintiffs’ Complaint includes allegations that plaintiff Ruben Juarez (“Mr.
12 Juarez”) and plaintiff Isela Hernandez are both citizens of California, and that PVA, the sole
13 defendant in this case, is a citizen of New York. (Complaint, ¶¶ 1, 3.) PVA is a citizen of New
14 York; it was incorporated in the State of New York and its principal place of business is located
15 within the State of New York.

16 4. In the Complaint, Plaintiffs allege that Mr. Juarez was previously healthy but has
17 suffered stomach pain as well as neurological, psychological and respiratory problems as a
18 result of working with defendant’s product, a “PVA 350” after his co-worker at SpaceX
19 allegedly failed to turn on a ventilation system. Plaintiffs further allege that Mr. Juarez
20 previously worked as a programmer at SpaceX from January, 2012 to May or June of 2014 but
21 as a result of using Defendant’s product, he (1) has been treated numerous times at urgent care
22 or in the emergency room, (2) has been prescribed numerous medications including
23 decongestants, antihistamines, opioids and anti-depressants, and (3) has not had any gainful
24 employment since May or June of 2014. (Complaint, ¶¶ 14, 21, 30-31, 34.)

25 5. Previously, on January 30, 2017, plaintiffs’ counsel sent a settlement
26 communication that contained a statement of monetary damages which included claimed
27 monetary losses for (1) past and future medical costs, (2) past and future wage loss, and (3)
28

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 non-economic damages. Each of these monetary loss claims was well in excess of \$1 Million.
2 The amount in controversy in this case is thus substantially in excess of \$75,000.00, the
3 jurisdictional amount of this Court pursuant to 28 U.S.C. § 1332(a). Plaintiffs' counsel has also
4 informed PVA's attorneys that Mr. Juarez is currently 42 years old.

5 6. This Notice of Removal is timely filed in that it is filed within thirty (30) days
6 after service of the Complaint was completed upon PVA. (28 U.S.C. § 1446(b).)

7 **The Amount In Controversy Requirement Is Satisfied**

8 7. As stated above, on January 30, 2017, plaintiffs' counsel sent a settlement
9 communication in which she asserted monetary losses for (1) past and future medical costs, (2)
10 past and future wage loss, and (3) non-economic damages, and each of monetary loss claims
11 was well in excess of \$1 Million. The amount in controversy in this case is thus substantially in
12 excess of \$75,000.00, the minimum jurisdictional amount of this Court pursuant to 28 U.S.C. §
13 1332(a).

14 **Complete Diversity Exists**

15 8. As stated previously, Plaintiffs' Complaint includes allegations that plaintiffs are
16 citizens of California, and that PVA, the sole defendant in this case, is a citizen of New York.
17 (Complaint, ¶¶ 1, 3.) PVA is, and was at all relevant times, a citizen of New York. PVA was
18 incorporated in New York and its principal place of business is in the State of New York. PVA
19 is not, and was not at any relevant time, a citizen of the State of California.

20 9. Plaintiffs have not sued any other defendants in this case.

21 10. The Complaint also names as Defendants DOES 1-20. Pursuant to 28 U.S.C.
22 §1441(a), the citizenship of these defendants is disregarded.

23 11. This is a civil action over which this Court has original jurisdiction under the
24 provisions of 28 U.S.C. § 1332. Plaintiffs' action may be removed to this Court pursuant to the
25 provisions of 28 U.S.C. § 1441(a) because it is a civil action between citizens of different states
26 and the matter in controversy herein exceeds the sum or value of \$75,000.00, exclusive of
27 interest and costs.
28

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The Other Requirements Of Removal Are Met

12. This Notice of Removal is being filed within thirty (30) days of service on the first-served (and only) defendant. Thus, this Notice of Removal is timely filed under 28 U.S.C. § 1446(b).

13. This case is properly removed to this particular district court because the Superior Court of the State of California, County of Los Angeles, where this action was originally filed, is located within this district.

14. Counsel for PVA certifies that pursuant to 28 U.S.C. § 1446(d), it will file a copy of this Notice of Removal with the Clerk of the Superior Court of the State of California, County of Los Angeles, and give notice of same to plaintiffs' attorney.

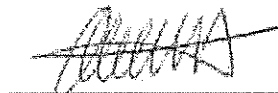
Conclusion

WHEREFORE, Precision Valve & Automation, Inc., pursuant to these statutes and in conformance with the requirements set forth in 28 U.S.C. § 1446, removes this action to this Court from the Superior Court of California, County of Los Angeles.

Date: May 3, 2017

BECHERER KANNETT & SCHWEITZER

By:



Alex P. Catalona
Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

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EXHIBIT A

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Dawn Alexander

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12 COUNTY OF LOS ANGELES - UNLIMITED JURISDICTION
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14 RUBEN JUAREZ, an individual and
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FAILURE TO WARN
LOSS OF CONSORTIUM

JURY TRIAL DEMANDED

21 Plaintiffs RUBEN JUAREZ and ISELA HERNANDEZ hereby file this Complaint for
22 Relief and Demand for Jury Trial against Defendant PRECISION VALVE & AUTOMATION,
23 INC., (a New York Corporation) and alleges as follows:
24

PARTIES AND JURISDICTION

25 1. The Plaintiffs RUBEN JUAREZ and ISELA HERNANDEZ reside in Granada
26 Hills, CA [REDACTED], in the County of Los Angeles within the State of California. During all relevant
27 time, Plaintiff ISELA HERNANDEZ is Plaintiff's RUBEN JUAREZ's lawful wife.

28 2. During all relevant time, the alleged injuries occurred in the County of Los
Angeles within the State of California.

3 Defendant PRECISION VALVE & AUTOMATION, INC. ("PVA") is a New
York Corporation and its principal place of business is 1 Mustang Drive, Cohoes, New York,

BC650229

1 12047.

2 4. Defendant PVA designed, manufactured, and sold PVA 350, a benchtop
3 dispensing / coating system that sprays chemicals to circuit boards.

4 5. Before 2012, PVA designed, manufactured, and sold at least a PVA 350 to one of
5 Space Exploration Technologies Corp. ("Space X") California locations in Hawthorne, CA, a
6 County of Los Angeles.

7 6. On information and belief, before the sales of the PVA 350, PVA had samples of
8 the chemicals to be sprayed by the PVA 350. As a result, PVA knew or should have known the
9 toxicity of the chemicals to be used by the PVA 350.

10 7. Plaintiffs are unaware of the true names and capacities of those Defendants sued
11 herein as DOES 1-20, inclusive, and therefore sues said Defendants by such fictitious names.
12 Plaintiffs will amend this Complaint to allege the true names and capacities of said Defendants,
13 when the same have been ascertained, together with such other charging allegations as may be
14 appropriate.

15 8. Plaintiffs are informed and believe, and thereupon allege, that each Defendant
16 designated as a DOE is responsible, negligently or in some other actionable manner, for the
17 events and happenings hereafter referred to, and caused injuries and damages proximately thereby
18 to plaintiffs, as hereinafter alleged, either through said defendants' own negligent conduct, or
19 through the conduct of their agents, servants or employees, or in some other manner as yet
20 unknown.

21 9. Plaintiffs are informed and believe, and thereupon allege, that at all times
22 mentioned herein, defendants and each of them, were the agents, servants, employees,
23 independent contractors and/or joint venturers of their co-defendants and were, as such, acting
24 within the scope, course and authority of said agency, employment, contract, and/or joint venture,
25 or acting in the concert, and that each and every defendant, as aforesaid, when acting as a
26 principal, was negligent in the selection, hiring, training, control, and supervision of each and
27 every other defendant as an agent, servant, employee, independent contractor and/or joint venture.

GENERAL ALLEGATIONS

UNSCANNED
FSC:08/14/18 HIAL: 08/28/18 USC : 02/28/20

BC650229

1 not take the circuit board out of the PVA 350 to verify this because it is wet and thus, any
2 handling of the board would destroy the accuracy of the spray.

3 17. During Plaintiff RUBEN JUAREZ's time at Space X from 2012 to 2014, he had
4 confirmation that the ventilation system was not in operation many times: he asked his co-worker
5 why it always smelt so bad in the room, the co-worker told Mr. Juarez that he just realized that he
6 had forgotten to turn on the ventilation system. Plaintiff RUBEN JUAREZ also noticed that
7 chemicals often leaked out of the PVA 350 from the bottom.

8 18. When the exhaust fan was not in operation, Plaintiff RUBEN JUAREZ breathed in
9 the toxic chemicals during the verification process because his head was directly emerged inside
10 the PVA 350 with the toxic chemicals floating inside it.

11 19. In addition, when the exhaust fan was not in operation, the toxic chemicals leaked
12 out of the PVA 350. Plaintiff RUBEN JUAREZ on average spent about 60% of his days standing
13 right next to the PVA 350.

14 20. Plaintiff RUBEN JUAREZ did not suspect that the chemicals may have caused his
15 injuries until March of 2015 when he, for the first time, received the MSDS of the chemicals.

16 21. During the entire time, none of the treating physicians suspected that chemical
17 exposures could have been the cause of his symptoms, due to the fact that none knew that
18 Plaintiff RUBEN JUAREZ was working with chemicals. His medical records list his
19 employment as "computer programmer."

20 22. The MSDS of Arathane® 5750A shows that it contains chemicals toluene,
21 diphenylmethane 4, 4'-diisocyanate, MDI Homopolymer, methylenediphenyldiisocyanate
22 ("MDI"), and triethyl phosphate. It further provides that the chronic health effects from the
23 exposure to the chemicals "can cause target organ damage" that include "upper respiratory tract,"
24 "the nervous system . . . brain, central nervous system (CNS)."

25 23. The MSDS of Arathane® 5750B shows that it contains chemicals toluene,
26 hydroxylated polybutadiene, methyl ethyl ketone, 1, 1'-phenyliminodipropan-2-ol. It further
27 provides that the chronic health effects of exposure to the chemicals "can cause target organ
28

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1 damage” including “the nervous system . . . brain, gastrointestinal tract, central nervous system
2 (CNS).” Over-exposure will aggravate the medical conditions.

3 24. The MSDS of Humiseal® shows that it contains chemicals toluene, acetone,
4 xylene, ethyl benzene, methyl ethyl ketone, dimethyl ether, heptane, ethyl 3 ethoxy propionate,
5 and oil mod. Polyurethane. It further provides that inhalation of the chemicals can “[c]ause
6 irritation of nasal passages and throat” and “stupor (central nervous system depression).”
7 “Significant exposure to these chemicals may adversely affect people with chronic disease of the
8 respiratory system” and “central nervous system.” And an inhalation may “cause mild
9 nausea/dizziness.”

10 25. The MSDS of Humiseal® thinner 521 EU that it contains chemicals xylene. It
11 further provides “[s]ignificant exposure to these chemicals may adversely affect people with
12 chronic disease of the respiratory system [and] central nervous system.” Inhalation may cause
13 nausea/dizziness.

14 26. The MSDS of IPA provides that prolonged exposure may result in nose, throat,
15 and central nervous system depression. “Acute CNS depression may be manifested as giddiness,
16 headache, dizziness, and/or nausea.”

17 27. The scientific community has generally accepted the effects of prolonged exposure
18 to these chemicals. For example, Center of Disease Control’s (“CDC”) publishes that
19 “[s]ymptoms of toluene poisoning include CNC effects (headache, dizziness, ataxia, drowsiness,
20 euphoria . . . respiratory depression, nausea . . . electrolyte imbalances).” United States
21 Department of Labor Occupational Safety and Health Administration notes that symptoms of
22 toluene exposure include “weakness, exhaustion, confusion, euphoria, dizziness, headache . . .
23 anxiety, muscle fatigue, insomnia” and that “long term and repeated workplace exposure to
24 toluene affect the central nervous system.” Environmental Protection Agency (“EPA”) also notes
25 that chronic effect of toluene exposure can cause “CNS depression,” leading to drowsiness,
26 headache, dizziness, and neurobehavioral effects.

27 28. Similarly, symptoms from exposure to MDI include “headache, sore throat . . .
28

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1 chest tightness.” A study of 203 school children who were exposed to MDI shows that 70.9%
2 reported headache, and 62.6% reported nausea. The effects of chronic exposure of MDI include
3 “headache, nausea and muscle aches. “There are also case reports of neurological effects” of
4 “headaches, forgetfulness, mood alterations, irritability, and difficulty concentrating.” “[T]here
5 was evidence of emotional distress in the form of depression, anxiety, and altered mentation.”

6 29. On information and belief, before a benchtop dispensing system is designed and
7 manufactured by PVA, Space X sends samples of its toxic chemicals to PVA for customization.
8 So, PVA knew or should have known the exact type of chemicals used by its PVA 350 and the
9 dangerous health consequences from exposure to these chemicals if the exhaust/ventilation is not
10 in operation.

11 30. Plaintiff RUBEN JUAREZ, a previously healthy man, who rarely went to see
12 doctors, after six months into the job, on June 27, 2012, went to urgent care for palpitations and
13 presyncope (lightheadedness, muscular weakness, blurred vision, and feeling faint). He also
14 complained about shortness of breath. All of these symptoms are well documented as chronic
15 exposure to these toxic chemicals by the scientific community.

16 31. From June of 2012 to present, Plaintiff RUBEN JUAREZ has had over 9
17 hospitalizations for symptoms associated with toluene, MDI, and other toxic chemical exposure.
18 In addition, he has had at least 21 visits to urgent care /emergency room for symptoms associated
19 with the toxic chemical exposure.

20 32. His current medications include Oxycodone, Norco, Topamax, Depakote, and
21 Ondansetron for migraine, Wellbutrin and Xanax for depression, Flonase and Allegra-D for
22 respiratory issues, Deltasone for chest tightness, and Protonix for stomach problems causing from
23 the drug cocktail.

24 33. His current conditions include severe headache, nausea, short of breath, dizziness,
25 memory loss, out of balance, respiratory issues, and stomach pain from the medications. He also
26 has suicidal thoughts once a week: sometimes his migraines are so severe that he hopes that he
27 just does not wake up the next day. He also has sleeping problems.

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1 34. Due to the continuing medical treatment, hospitalization, and urgent care visits,
2 Plaintiff has not worked since May or June of 2014.

3 35. Plaintiff RUBEN JUAREZ lives with his 12-year-old daughter and his wife
4 Plaintiff ISELA HERNANDEZ.

5 **FIRST CAUSE OF ACTION**

6 **NEGLIGENCE**

7 **(Against all Defendants)**

8 36. Plaintiffs refer to paragraph 1-35 above and incorporate them into this cause of
9 action as though fully set forth herein.

10 37. Defendants designed, manufactured, supplied, installed, inspected, and repaired
11 the PVA 350.

12 38. First, Defendants were negligent in designing, manufacturing, supplying,
13 installing, inspecting, and repairing the PVA 350. In particular, Defendants failed to use the
14 amount of care in designing, manufacturing, inspecting, installing, and repairing the PVA 350
15 that a reasonably careful designer, manufacturer, supplier, installer, repairer would use in similar
16 circumstances to avoid exposing Plaintiff RUBEN JUAREZ, a programmer of the PVA 350, to a
17 foreseeable risk of harm. Furthermore, Defendants' design violated Cal-OSHA, which requires
18 that "When spray is automatically applied without an attendant constantly on duty, the operating
19 control of spray apparatus shall be so arranged that spray cannot be applied unless exhaust fans
20 are in operation." (Title 8 of Cal. Code of Regulations, § 5153.)

21 39. Second, Defendants knew or reasonably should have known that the PVA 350 was
22 dangerous or was likely to be dangerous when used or misused in a reasonably foreseeable
23 manner. Defendants failed to adequately warn of the danger.

24 40. Third, Defendants became aware of this defect after the PVA 350 was sold and
25 Defendants failed to recall/retrofit or warn of the danger of the PVA 350. A reasonable
26 manufacturer/distributor/seller under the same or similar circumstances would have recalled,
27 retrofitted the product.
28

1 41. Plaintiffs were harmed.

BC650229

2 42. Defendants' negligence was a substantial factor in causing Plaintiffs' harm.

3 **SECOND CAUSE OF ACTION**

4 **STRICT PRODUCT LIABILITY**

5 **(Against all Defendants)**

6 43. Plaintiffs refer to paragraph 1-42 above and incorporate them into this cause of
7 action as though fully set forth herein.

8 44. The PVA 350 contains a design defect that it does not stop spraying toxic
9 chemicals or sound any alarm when the ventilation / exhaust is not in operation. It continues to
10 spray toxic chemicals even when the ventilation / exhaust is not in operation without sounding
11 any alarm about it.

12 45. The PVA 350 also did not have warning of the potential safety hazard when the
13 ventilation / exhaust is not in operation.

14 46. The PVA 350 did not perform as safely as an ordinary consumer would have
15 expected it to perform when used or misused in an intended or reasonably foreseeable way.

16 47. Plaintiffs were harmed.

17 48. The PVA's failure to perform safely was a substantial factor in causing Plaintiffs'
18 harm.

19 **THIRD CAUSE OF ACTION**

20 **LOSS OF CONSORTIUM**

21 **(Against all Defendants)**

22 49. Plaintiffs refer to paragraph 1-49 above and incorporate them into this cause of
23 action as though fully set forth herein.

24 50. Defendants' wrongful conduct, acts and omissions, were a substantial factor in
25 causing Plaintiff ISELA HERNANDEZ to sustain loss of love, care, companionship, comfort,
26 assistance, protection, society, moral support from Plaintiff RUBEN JUAREZ, in an amount
27 according to proof.

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PRAYER

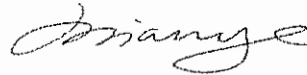
BC650229

WHEREFORE, Plaintiffs pray for judgment against Defendants, each of them, as follows:

1. For general and noneconomic damages according to proof;
2. For special and economic damages according to proof;
3. For costs of suit;
4. For attorneys' fees as allowed by law;
5. Pre-judgment interest; and
6. For such further relief as the Court deems just and proper.

Dated: February 27, 2017

LAW OFFICES OF TERESA LI, PC



Teresa Li
Attorneys for Plaintiffs
RUBEN JUAREZ and ISELA HERNANDEZ

EXHIBIT B

Catalona, Alex

From: Milanfar, Shahrad
Sent: Wednesday, April 05, 2017 3:40 PM
To: teresa@lawofficesofteresali.com
Cc: Catalona, Alex
Subject: Juarez - Signed NOAR
Attachments: Juarez - Signed NOAR 4-5-17.pdf

Teresa,

Per our discussion, I'm attaching the signed notice of acknowledgement of receipt. I'm generally available on Friday. Please let me know the best time to call you.

Regards,

Shahrad Milanfar, Esq. | Becherer Kannett & Schweitzer

Northern California: 1255 Powell Street, Emeryville, CA 94608
Southern California: 85 North Raymond Avenue, Pasadena, CA 91103

Tel: 510.658.3600

Fax: 510.658.1151

Email: smilanfar@bksca.com | www.bksca.com



CONFIDENTIALITY NOTICE:

The information in this email is confidential and/or privileged. If you are not the intended recipient or an authorized representative of the intended recipient, you are on notice that any review, dissemination or copying of this email and its attachments is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.

POS-015

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Teresa Li (SBN 278779) Law Offices of Teresa Li, PC 315 Montgomery Street, 9th Floor San Francisco, CA 94104 TELEPHONE NO: (415) 423-3377 FAX NO. (Optional): (888) 646-5493 E-MAIL ADDRESS (Optional): teresa@lawofficesofteresali.com ATTORNEY FOR (Name): Plaintiffs Ruben Juarez and Isela Hernandez</p>	<p>FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse</p>	
<p>PLAINTIFF/PETITIONER: Ruben Juarez and Isela Hernandez DEFENDANT/RESPONDENT: Precision Valve & Automation, Inc.</p>	
<p>NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL</p>	<p>CASE NUMBER: BC650229</p>

TO (insert name of party being served): **Anthony J. Hynes (Chief Executive Officer) on behalf of Precision Valve & Automation, Inc.**

NOTICE

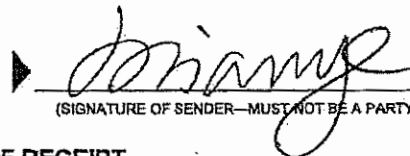
The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: **March 7, 2017**

Teresa Li, Esq.

(TYPE OR PRINT NAME)


 (SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

ACKNOWLEDGMENT OF RECEIPT

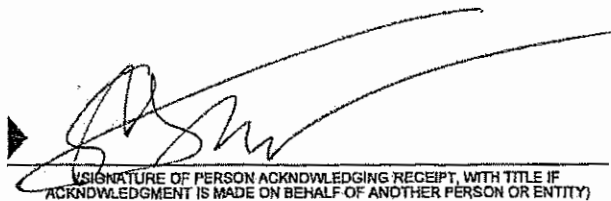
This acknowledges receipt of (to be completed by sender before mailing):

- ☒ A copy of the summons and of the complaint.
- ☒ Other (specify):
Notice of Case Assignment, Civil Case Cover Sheet, 3rd Amended General order and 6th Amended General order

(To be completed by recipient):

Date this form is signed:

4-5-17
 (TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,
 ON WHOSE BEHALF THIS FORM IS SIGNED)


 (SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF
 ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

Page 1 of 1

Shahrad Milanfar (SBN 201126)
smilanfar@bksca.com
Alex P. Catalona (SBN 200901)
acatalona@bksca.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

v.

PRECISION VALVE & AUTOMATION,
INC., a corporation and DOES 1-20,

Defendants.

CASE NO.

[Los Angeles County Superior Court
Case No. BC650229]

**CERTIFICATE OF SERVICE OF
NOTICE OF REMOVAL UNDER 28
U.S.C. ¶ 1441(a) (DIVERSITY)**

[Originally Superior Court of the State of
California, County of Los Angeles, Case No.
BC650229]

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of
California; I am over the age of eighteen (18) years and not a party to the within entitled action;
my business address is 1255 Powell Street, Emeryville, California 94608.

On May 3, 2017, I caused to be served the foregoing:

NOTICE OF REMOVAL UNDER 28 U.S.C. ¶ 1441(a) (DIVERSITY)

In said action by placing a true copy thereof enclosed in a sealed envelope and served in
the manner and/or manners described below to each of the parties herein and addressed as
follows:

///

///

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 *Attorneys for Plaintiff*

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
315 Montgomery Street, 9th Floor
San Francisco, California 94104
Telephone: (415) 423-3377
Facsimile: (888) 646-5493

2
3
4
5 ☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
6 in the United States Mail at Emeryville, California. I am familiar with the mail collection
7 practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the
8 envelope would be deposited with the United States Postal Service the same day.

9 Executed on May 3, 2017.

10
11 
12 Jerry M. Dumlao

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24 Becherer
Kannett &
Schweitzer

25
26 1255
Powell St.
Emeryville, CA
94608
510-658-3600
27
28

EXHIBIT 3

Shahrad Milanfar (SBN 201126)
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acatalona@bkscal.com
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1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and
ISELA HERNANDEZ, an individual,

Plaintiffs,

v.

PRECISION VALVE &
AUTOMATION, INC., a corporation
and DOES 1-20,

Defendants.

CASE NO. 2:17-cv-003342

**NOTICE OF FILING STATE COURT
ANSWER AND DEMAND FOR JURY
TRIAL**

Date Removed: May 3, 2017

[Removed from Los Angeles County Superior
Court Case No. BC650229]

**TO THE CLERK OF THE ABOVE-ENTITLED COURT AND ALL
COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that Defendant Precision Valve & Automation, Inc. hereby submits the following documents to be filed in this action that were previously filed and served in the State Court action entitled *Ruben Juarez an individual and Isela Hernandez, an individual v. Precision Valve & Automation, Inc., a corporation and DOES 1-20*, Los Angeles County Superior Court Case No. BC650229:

1. The Answer of Defendant Precision Valve & Automation, Inc. to

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 Complaint for Personal Injuries, filed in State Court on May 2, 2017, is
2 attached hereto as **Exhibit 1**.

3 2. The Demand For Jury Trial of Defendant Precision Valve & Automation,
4 Inc., filed in State Court on May 2, 2017, is attached hereto as **Exhibit 2**.

5 Defendant Precision Valve & Automation, Inc. hereby demands a jury trial in this Court.

6
7 Dated: May 4, 2017

BECHERER KANNETT & SCHWEITZER

8
9
10 By: /s/ Alex P. Catalona

Alex P. Catalona

11 Attorneys for Defendant PRECISION VALVE &
12 AUTOMATION, INC.

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Schweitzer

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EXHIBIT 1

1 Shahrad Milanfar (SBN 201126)
2 smilanfar@bksca.com
3 Alex P. Catalona (SBN 200901)
4 acatalona@bksca.com
5 BECHERER KANNETT & SCHWEITZER
6 1255 Powell Street
7 Emeryville, CA 94608
8 Telephone: (510) 658-3600
9 Facsimile: (510) 658-1151

10 Attorneys for Defendant
11 PRECISION VALVE & AUTOMATION, INC.

CONFIRMED COPY
FILED
Superior Court of California
County of Los Angeles

MAY 02 2017

Sherri H. Carter, Executive Officer/Clerk
By: Cristina Grijalva, Deputy

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE

10 RUBEN JUAREZ an individual and ISELA
11 HERNANDEZ, an individual,

12 Plaintiffs,

13 v.

14 PRECISION VALVE & AUTOMATION,
15 INC., a corporation and DOES 1-20,

16 Defendants.

CASE NO. BC650229

ANSWER TO COMPLAINT BY
DEFENDANT PRECISION VALVE
& AUTOMATION, INC.

Action Filed: February 28, 2017

Trial Date: August 28, 2018

By Fax

17
18 Defendant Precision Valve & Automation, Inc. ("Defendant") responds to
19 plaintiffs' complaint as follows: Pursuant to California Code of Civil Procedure § 431.30,
20 Defendants deny generally each and every allegation in the Complaint.

21 **AFFIRMATIVE DEFENSES**

22 1. As a first affirmative defense, Defendant alleges that the Complaint does not state
23 facts sufficient to constitute a cause of action.

24 2. As a second affirmative defense, Defendant alleges plaintiff Ruben Juarez was
25 negligent and that his negligence, in whole or in part, caused and contributed to the injury and
26 damage alleged in the Complaint.

27 3. As a third affirmative defense, Defendant alleges plaintiff Ruben Juarez's
28 employer was negligent or acted in some other tortious manner, and that this conduct, in whole

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510-658-3600

1 or in part, caused and contributed to the injury and damage alleged in the Complaint.

2 4. As a fourth affirmative defense, Defendant alleges that other parties and other
3 persons not parties to the action acted negligently or in some other tortious manner, and that their
4 negligence or other tortious conduct caused the injury and damage alleged in the Complaint.
5 Defendants request that in the event of a finding of any liability in favor of Plaintiffs or settlement
6 or judgment against this defendant, an apportionment of fault be made as permitted by *Li v. Yellow*
7 *Cab Company* and *American Motorcycle Association v. Superior Court* by the court or jury.
8 Defendant further requests a judgment and declaration of partial indemnification and contribution
9 against all other parties or persons in accordance with the appointment of fault.

10 5. As a fifth affirmative defense, Defendant alleges that it cannot be held responsible
11 for the acts of others or events beyond Defendant's control, which acts or events contributed in
12 whole or in part to the damages, claims, and causes of action alleged in the Complaint.

13 6. As a sixth affirmative defense, Defendant alleges plaintiffs voluntarily and
14 knowingly assumed the risk of damage alleged in the Complaint. Plaintiffs' claims are therefore
15 barred in whole or in part by the doctrine of Assumption of Risk.

16 7. As a seventh affirmative defense, Defendant alleges that Plaintiff Ruben Juarez
17 agreed to, and participated in, those actions which plaintiffs claim to have caused injury or
18 damage. Since such participation and consent were given knowingly and voluntarily, plaintiffs'
19 claims are invalid.

20 8. As an eighth affirmative defense, Defendant alleges that it exercised due care
21 and diligence in all matters alleged in the complaint, and that no act or omission by Defendant
22 was the proximate cause of any damage, injury or loss to plaintiffs.

23 9. As a ninth affirmative defense, Defendant alleges plaintiffs failed to exercise
24 reasonable care and diligence to mitigate their alleged damages.

25 10. As a tenth affirmative defense, Defendant alleges that plaintiff Ruben Juarez was
26 a sophisticated user of Defendant's product due to his particular position, training, experience,
27 education, knowledge, and/or skill, and knew or should have known of any risk, harm and/or
28 danger of the product(s) and material(s) alleged against Defendant.

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510-658-3660

1 11. As an eleventh affirmative defense, Defendant alleges that plaintiff Ruben
2 Juarez's employer was a sophisticated user of Defendant's product due to its particular position,
3 training, experience, knowledge, education and/or skill, and knew or should have known of any
4 risk, harm and/or danger of the product(s) and material(s) alleged against Defendant.

5 12. As a twelfth affirmative defense, Defendant alleges that plaintiffs' claims are
6 barred by the workers' compensation exclusivity rule.

7 13. As a thirteenth affirmative defense, Defendant allege that plaintiffs' claims are
8 barred by all applicable statutes of limitations including but not limited to Code of Civil Procedure
9 section 335.1.

10 14. As a fourteenth affirmative defense, Defendant alleges that plaintiffs' claims are
11 barred in whole or in part by the doctrine of laches.

12 15. As a fifteenth affirmative defense, Defendant alleges that plaintiffs' claims are
13 barred in whole or in part by the doctrine of unclean hands.

14 16. As an sixteenth affirmative defense, Defendant alleges plaintiffs waived and are
15 estopped and barred from alleging the matters set forth in their complaint based upon settlements,
16 releases and/or agreements.

17 17. As a seventeenth affirmative defense, Defendant alleges that plaintiffs' claims are
18 barred in whole or in part by the doctrine of waiver.

19 18. As an eighteenth affirmative defense, Defendant alleges that plaintiffs' claims are
20 barred in whole or in part by the doctrine of estoppel.

21 19. As a nineteenth affirmative defense, Defendant alleges that plaintiff Ruben
22 Juarez's employer violated the Occupational Health and Safety Act of 1970, and subsequent
23 statutory and regulatory law including but not limited to 29 CFR 1910.1200, et seq., (OSHA
24 Hazard Communication Standard), 29 CFR 1910.132, et seq., (OSHA personal safety equipment
25 rules), and 29 CFR 1904, et seq., (OSHA injury and illness recordkeeping and reporting
26 requirements.)

27 20. As a twentieth affirmative defense, Defendant alleges that current law prohibits
28 plaintiffs' claims against this defendant.

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Schweitzer

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Powell St.
Emeryville, CA
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510-458-3600

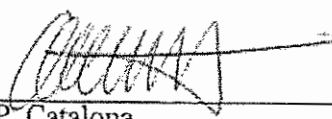
1 Defendant reserves its right to assert additional defenses in the event its investigation
2 and discovery indicates additional defenses would be appropriate.

3 Defendant demands judgment in its favor, costs of suit, attorney's fees and all other proper
4 relief.

5
6 Dated: April 26, 2017

BECHERER KANNETT & SCHWEITZER

7
8 By:


9 Alex P. Catalona
10 Attorney for Defendant
11 PRECISION VALVE & AUTOMATION, INC.
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24 Becherer
25 Kannett &
26 Schweitzer

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PROOF OF SERVICE

Ruben Juarez, et al. v. Precision Valve & Automation, Inc., et al.
Los Angeles County Superior Court, Case No. BC650229

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On May 2, 2017, I caused to be served the foregoing:

ANSWER TO COMPLAINT BY DEFENDANT PRECISION VALVE & AUTOMATION, INC.;

DEMAND FOR JURY TRIAL

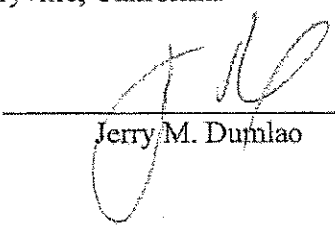
In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
315 Montgomery Street, 9th Floor
San Francisco, California 94104
Telephone: (415) 423-3377
Facsimile: (888) 646-5493
Email: teresa@lawofficesofteresali.com

☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed in the United States Mail at Emeryville, California. I am familiar with the mail collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration is executed May 2, 2017, at Emeryville, California.



Jerry M. Dumlao

Becherer
Kannett &
Schweitzer

255
Powell St.
Emeryville, CA
94608
10-658-7600

EXHIBIT 2

1 Shahrad Milanfar (SBN 201126)
2 smilanfar@bkscal.com
3 Alex P. Catalona (SBN 200901)
4 acatalona@bkscal.com
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6 Attorneys for Defendant
7 PRECISION VALVE & AUTOMATION, INC.

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAY 02 2017

Shari H. Carter, Executive Officer/Clerk
By: Cristina Grijalva, Deputy

8
9 SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE
11

12 RUBEN JUAREZ an individual and ISELA
13 HERNANDEZ, an individual,

14 Plaintiffs,

15 v.

16 PRECISION VALVE & AUTOMATION,
INC., a corporation and DOES 1-20,

17 Defendants.
18

CASE NO. BC650229

DEMAND FOR JURY TRIAL

Action Filed: February 28, 2017
Trial Date: August 28, 2018

By Fax


19
20 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

21 Please take notice that in response to plaintiffs' complaint filed and served in this matter,
22 Defendant PRECISION VALVE & AUTOMATION, INC. hereby demands a trial by jury in the
23 above entitled case.

24 Dated: May 1, 2017

BECHERER KANNETT & SCHWEITZER

25 By:

26 
27 Alex P. Catalona
Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.
28

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Emeryville, CA
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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on the 4th day of May, 2017, a true and correct copy of **NOTICE OF FILING STATE COURT ANSWER** has been served by mail to plaintiffs' attorney and via ECF upon all counsel of record in the Court's electronic filing system.

Attorneys for Plaintiffs

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/s/ Alex P. Catalona

Alex P. Catalona

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 RUBEN JUAREZ an individual and ISELA) CASE NO. 2:17-cv-03342
11 HERNANDEZ, an individual,)
12 Plaintiffs,) [Los Angeles County Superior Court
Case No. BC650229]
13 v.) **CERTIFICATE OF SERVICE)**
14 PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)
15 Defendants.)
16)
17)

18 I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of
19 California; I am over the age of eighteen (18) years and not a party to the within entitled action;
20 my business address is 1255 Powell Street, Emeryville, California 94608.

21 On May 4, 2017, I caused to be served the foregoing:

22 **NOTICE OF FILING STATE COURT ANSWER AND DEMAND FOR JURY**
23 **TRIAL**

24 In said action by placing a true copy thereof enclosed in a sealed envelope and served in
25 the manner and/or manners described below to each of the parties herein and addressed as
26 follows:

27 ///

28 ///

Becherer
Kannett &
Schweitzer

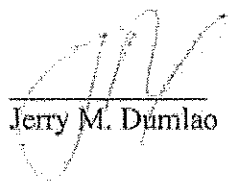
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3
4
5 ☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
6 in the United States Mail at Emeryville, California. I am familiar with the mail collection
7 practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the
8 envelope would be deposited with the United States Postal Service the same day.

9 Executed on May 4, 2017.

10
11 
12 Jerry M. Dumlao
13
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19
20
21
22
23

24 Becherer
25 Kannett &
26 Schweitzer

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EXHIBIT 4

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12 HERNANDEZ

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15

16 RUBEN JUAREZ, an individual and
17 ISELA HERNANDEZ, an individual

18 Plaintiffs,

19 v.

20 PRECISION VALVE &
21 AUTOMATION, Inc., a corporation
and DOES 1-20

22 Defendants.
23

Case No. 2:17-cv-03342

**FIRST AMENDED COMPLAINT
FOR DAMAGES**

**GENERAL NEGLIGENCE
STRICT LIABILITY
FAILURE TO WARN
LOSS OF CONSORTIUM**

JURY TRIAL DEMANDED

24 Plaintiffs RUBEN JUAREZ and ISELA HERNANDEZ hereby file this
25 Complaint for Relief and Demand for Jury Trial against Defendant PRECISION
26 VALVE & AUTOMATION, INC., (a New York Corporation) and alleges as
27 follows:
28

PARTIES AND JURISDICTION

1
2 1. The Plaintiffs RUBEN JUAREZ and ISELA HERNANDEZ reside in
3 Granada Hills, CA [REDACTED], in the County of Los Angeles within the State of
4 California. During all relevant time, Plaintiff ISELA HERNANDEZ is Plaintiff's
5 RUBEN JUAREZ's lawful wife.

6 2. During all relevant time, the alleged injuries occurred in the County of
7 Los Angeles within the State of California.

8 3. Defendant PRECISION VALVE & AUTOMATION, INC. ("PVA") is
9 a New York Corporation and its principal place of business is 1 Mustang Drive,
10 Cohoes, New York, 12047.

11 4. Defendant PVA designed, manufactured, and sold PVA 350, a
12 benchtop dispensing / coating system that sprays chemicals to circuit boards.

13 5. Before 2012, PVA designed, manufactured, and sold at least a PVA
14 350 to one of Space Exploration Technologies Corp. ("Space X") California
15 locations in Hawthorne, CA, a County of Los Angeles.

16 6. On information and belief, before the sales of the PVA 350, PVA had
17 samples of the chemicals to be sprayed by the PVA 350. As a result, PVA knew or
18 should have known the toxicity of the chemicals to be used by the PVA 350.

19 7. Plaintiffs are unaware of the true names and capacities of those
20 Defendants sued herein as DOES 1-20, inclusive, and therefore sues said
21 Defendants by such fictitious names. Plaintiffs will amend this Complaint to allege
22 the true names and capacities of said Defendants, when the same have been
23 ascertained, together with such other charging allegations as may be appropriate.

24 8. Plaintiffs are informed and believe, and thereupon allege, that each
25 Defendant designated as a DOE is responsible, negligently or in some other
26 actionable manner, for the events and happenings hereafter referred to, and caused
27 injuries and damages proximately thereby to plaintiffs, as hereinafter alleged, either
28

1 through said defendants' own negligent conduct, or through the conduct of their
2 agents, servants or employees, or in some other manner as yet unknown.

3 9. Plaintiffs are informed and believe, and thereupon allege, that at all
4 times mentioned herein, defendants and each of them, were the agents, servants,
5 employees, independent contractors and/or joint venturers of their co-defendants
6 and were, as such, acting within the scope, course and authority of said agency,
7 employment, contract, and/or joint venture, or acting in the concert, and that each
8 and every defendant, as aforesaid, when acting as a principal, was negligent in the
9 selection, hiring, training, control, and supervision of each and every other
10 defendant as an agent, servant, employee, independent contractor and/or joint
11 venture.

12 10. At some or all relevant herein, each Defendant was the agent of each
13 other defendant, each Defendant was acting within the court and scope of that
14 agency, each Defendant ratified the conduct of the other Defendants with actual
15 and/or constructive knowledge of such conduct, and each Defendant was subject to
16 and under the supervision of the other defendant.

17 **GENERAL ALLEGATIONS**

18 11. PVA 350 is a benchtop dispensing / coating system that sprays
19 chemicals to circuit boards, manufactured, designed, supplied, installed, inspected,
20 repaired, and sold by Defendant PVA. Once programmed, PVA can automatically
21 spray chemicals without an attendant constantly on duty.

22 12. PVA 350 does not have an automatic shutoff and does not sound an
23 alarm when the ventilation / exhaust is not in operation. In other words, PVA 350
24 is designed to continue to spray chemicals even when the ventilation / exhaust is
25 not in operation. Furthermore, there is no warning anywhere about this.

26 13. On information and belief, to add the automatic shutoff, PVA only
27 needs to include an airflow sensor or something similar.
28

1 14. On January 2012, Plaintiff RUBEN JUAREZ started working for
2 Space X as a programmer for a PVA 350 that sprayed chemicals to circuit boards at
3 Space X's Hawthorne, CA location. Plaintiff RUBEN JUAREZ worked there with
4 the PVA 350 until May or June of 2014.

5 15. During Plaintiff RUBEN JUAREZ's time at Space X, Plaintiff
6 RUBEN JUAREZ was in charge of programming the PVA 350 to spray Arathane®
7 5750A, Arathane® 5750B, Arathane® 5750A/B, and Humiseal®, Humiseal®
8 thinner.

9 16. PVA trained Plaintiff RUBNE JUAREZ that in order to verify whether
10 the equipment correctly sprayed the chemicals, Plaintiff RUBNE JUAREZ had to
11 stick his head into the spraying chamber of the conformal coating machine to
12 verify. He had to do this because the spray is usually transparent and is very fine
13 with tiny thickness and therefore, a naked eye cannot identify whether or not certain
14 part of the circuit board has been sprayed or the thickness of the spray. The only
15 way to verify this is to use a black light and poke his head inside the PVA 350 to
16 check. He could not take the circuit board out of the PVA 350 to verify this
17 because it is wet and thus, any handling of the board would destroy the accuracy of
18 the spray.

19 17. During Plaintiff RUBEN JUAREZ's time at Space X from 2012 to
20 2014, he had confirmation that the ventilation system to the PVA 350 was not in
21 operation many times: he asked his co-worker why it always smelt so bad in the
22 room, the co-worker told Mr. Juarez that he just realized that he had forgotten to
23 turn on the ventilation system.

24 18. When the exhaust fan was not in operation, Plaintiff RUBEN JUAREZ
25 unknowingly breathed in the chemicals during the verification process because his
26 head was directly emerged inside the PVA 350 with the toxic chemicals floating
27 inside it.
28

1 19. In addition, when the exhaust fan was not in operation, the chemicals
2 leaked out of the PVA 350. Plaintiff RUBEN JUAREZ on average spent about
3 60% of his days standing right next to the PVA 350.

4 20. The MSDS of Arathane® 5750A shows that it contains chemicals
5 toluene, diphenylmethane 4, 4'-diisocyanate, MDI Homopolymer,
6 methylenediphenyldiisocyanate ("MDI"), and triethyl phosphate. It further
7 provides that the chronic health effects from the exposure to the chemicals "can
8 cause target organ damage" that include "upper respiratory tract," "the nervous
9 system . . . brain, central nervous system (CNS)."

10 21. The MSDS of Arathane® 5750B shows that it contains chemicals
11 toluene, hydroxylated polybutadiene, methyl ethyl ketone, 1, 1'-
12 phenyliminodipropyl-2-ol. It further provides that the chronic health effects of
13 exposure to the chemicals "can cause target organ damage" including "the nervous
14 system . . . brain, gastrointestinal tract, central nervous system (CNS)." Over-
15 exposure will aggravate the medical conditions.

16 22. The MSDS of Humiseal® shows that it contains chemicals toluene,
17 acetone, xylene, ethyl benzene, methyl ethyl ketone, dimethyl ether, heptane, ethyl
18 3 ethoxy propionate, and oil mod. Polyurethane. It further provides that inhalation
19 of the chemicals can "[c]ause irritation of nasal passages and throat" and "stupor
20 (central nervous system depression)." "Significant exposure to these chemicals
21 may adversely affect people with chronic disease of the respiratory system" and
22 "central nervous system." And an inhalation may "cause mild nausea/dizziness."

23 23. The MSDS of Humiseal® thinner 521 EU that it contains chemicals
24 xylene. It further provides "[s]ignificant exposure to these chemicals may
25 adversely affect people with chronic disease of the respiratory system [and] central
26 nervous system." Inhalation may cause nausea/dizziness.

27 24. The scientific community has generally accepted the effects of
28

1 prolonged exposure to these chemicals. For example, Center of Disease Control's
2 ("CDC") publishes that "[s]ymptoms of toluene poisoning include CNC effects
3 (headache, dizziness, ataxia, drowsiness, euphoria . . . respiratory depression,
4 nausea . . . electrolyte imbalances)." United States Department of Labor
5 Occupational Safety and Health Administration notes that symptoms of toluene
6 exposure include "weakness, exhaustion, confusion, euphoria, dizziness, headache .
7 . . anxiety, muscle fatigue, insomnia" and that "long term and repeated workplace
8 exposure to toluene affect the central nervous system." Environmental Protection
9 Agency ("EPA") also notes that chronic effect of toluene exposure can cause "CNS
10 depression," leading to drowsiness, headache, dizziness, and neurobehavioral
11 effects.

12 25. Similarly, symptoms from exposure to MDI include "headache, sore
13 throat . . . chest tightness." A study of 203 school children who were exposed to
14 MDI shows that 70.9% reported headache, and 62.6% reported nausea. The effects
15 of chronic exposure of MDI include "headache, nausea and muscle aches. "There
16 are also case reports of neurological effects" of "headaches, forgetfulness, mood
17 alterations, irritability, and difficulty concentrating." "[T]here was evidence of
18 emotional distress in the form of depression, anxiety, and altered mentation."

19 26. On information and belief, before a benchtop dispensing system is
20 designed and manufactured by PVA, Space X sends samples of its toxic chemicals
21 to PVA for customization. So, PVA knew or should have known the exact type of
22 chemicals used by its PVA 350 and the dangerous health consequences from
23 exposure to these chemicals if the exhaust/ventilation is not in operation.

24 27. Plaintiff RUBEN JUAREZ, a previously healthy man, who rarely went
25 to see doctors, after six months into the job, on June 27, 2012, went to urgent care
26 for palpitations and presyncope (lightheadedness, muscular weakness, blurred
27 vision, and feeling faint). He also complained about shortness of breath. All of
28

1 these symptoms are well documented as chronic exposure to these toxic chemicals
2 by the scientific community.

3 28. From June of 2012 to present, Plaintiff RUBEN JUAREZ has had over
4 9 hospitalizations for symptoms associated with toluene, MDI, and other toxic
5 chemical exposure. In addition, he has had at least 21 visits to urgent care
6 /emergency room for symptoms associated with the toxic chemical exposure.

7 29. His current medications include Oxycodone, Norco, Topamax,
8 Depakote, and Ondansetron for migraine, Wellbutrin and Xanax for depression,
9 Flonase and Allegra-D for respiratory issues, Deltasone for chest tightness, and
10 Protonix for stomach problems causing from the drug cocktail.

11 30. His current conditions include severe headache, nausea, short of
12 breath, dizziness, memory loss, out of balance, respiratory issues, and stomach pain
13 from the medications. He also has suicidal thoughts once a week: sometimes his
14 migraines are so severe that he hopes that he just does not wake up the next day.
15 He also has sleeping problems.

16 31. Due to the continuing medical treatment, hospitalization, and urgent
17 care visits, Plaintiff has not worked since May or June of 2014.

18 32. Plaintiff RUBEN JUAREZ lives with his 12-year-old daughter and his
19 wife Plaintiff ISELA HERNANDEZ.

20 33. During the entire time, none of the treating physicians suspected that
21 chemical exposures could have been the cause of his symptoms, due to the fact that
22 none knew that Plaintiff RUBEN JUAREZ was working with chemicals. His
23 medical records list his employment as "computer programmer."

24 34. Up until May of 2015, Plaintiff RUBEN JUAREZ thought that his
25 injury was caused by lead solder wire and cleaning solution to clean electronic parts
26 operated by other Space X employees near Plaintiff's work station. The solder wire
27 and the cleaning solution had nothing to do with the PVA 350—they were not even
28

1 housed in the same location as the PVA 350. It was not until May of 2015, when
2 Plaintiff Juarez saw the MSDS sheets from Space X that he first saw that the solder
3 wire was actually lead-free and the detergent was only alcohol and that he first
4 suspected that the PVA 350 might have caused his injuries. Therefore, despite
5 diligent investigation of the circumstances of the injury, Plaintiff RUBEN JUAREZ
6 could not have reasonably discovered facts supporting the cause of action against
7 PVA within the application statute of limitations period.

8 **FIRST CAUSE OF ACTION**

9 **NEGLIGENCE**

10 **(Against all Defendants)**

11 35. Plaintiffs refer to paragraph 1-34 above and incorporate them into this
12 cause of action as though fully set forth herein.

13 36. Defendants designed, manufactured, supplied, installed, inspected, and
14 repaired the PVA 350.

15 37. First, Defendants were negligent in designing, manufacturing,
16 supplying, installing, inspecting, and repairing the PVA 350. In particular,
17 Defendants failed to use the amount of care in designing, manufacturing,
18 inspecting, installing, and repairing the PVA 350 that a reasonably careful designer,
19 manufacturer, supplier, installer, repairer would use in similar circumstances to
20 avoid exposing Plaintiff RUBEN JUAREZ, a programmer of the PVA 350, to a
21 foreseeable risk of harm. Furthermore, Defendants' design violated Cal-OSHA,
22 which requires that "When spray is automatically applied without an attendant
23 constantly on duty, the operating control of spray apparatus shall be so arranged
24 that spray cannot be applied unless exhaust fans are in operation." (Title 8 of Cal.
25 Code of Regulations, § 5153.)

26 38. Second, Defendants knew or reasonably should have known that the
27 PVA 350 was dangerous or was likely to be dangerous when used or misused in a
28

1 reasonably foreseeable manner. Defendants failed to adequately warn of the
2 danger.

3 39. Third, Defendants became aware of this defect after the PVA 350 was
4 sold and Defendants failed to recall/retrofit or warn of the danger of the PVA 350.
5 A reasonable manufacturer/distributor/seller under the same or similar
6 circumstances would have recalled, retrofitted the product.

7 40. Plaintiffs were harmed.

8 41. Defendants' negligence was a substantial factor in causing Plaintiffs'
9 harm.

10 **SECOND CAUSE OF ACTION**
11 **STRICT PRODUCT LIABILITY**
12 **(Against all Defendants)**

13 42. Plaintiffs refer to paragraph 1-41 above and incorporate them into this
14 cause of action as though fully set forth herein.

15 43. The PVA 350 contains a design defect that it does not stop spraying
16 toxic chemicals or sound any alarm when the ventilation / exhaust is not in
17 operation. It continues to spray toxic chemicals even when the ventilation / exhaust
18 is not in operation without sounding any alarm about it. It also requires the
19 operator to put his head into the machine to check the spray.

20 44. The PVA 350 also did not have warning of the potential safety hazard
21 when the ventilation / exhaust is not in operation.

22 45. The PVA 350 did not perform as safely as an ordinary consumer
23 would have expected it to perform when used or misused in an intended or
24 reasonably foreseeable way.

25 46. Plaintiffs were harmed.

26 47. The PVA's failure to perform safely was a substantial factor in causing
27 Plaintiffs' harm.
28

THIRD CAUSE OF ACTION

LOSS OF CONSORTIUM

(Against all Defendants)

48. Plaintiffs refer to paragraph 1-47 above and incorporate them into this cause of action as though fully set forth herein.

49. Defendants' wrongful conduct, acts and omissions, were a substantial factor in causing Plaintiff ISELA HERNANDEZ to sustain loss of love, care, companionship, comfort, assistance, protection, society, moral support from Plaintiff RUBEN JUAREZ, in an amount according to proof.

PRAYER

WHEREFORE, Plaintiffs pray for judgment against Defendants, each of them, as follows:

1. For general and noneconomic damages according to proof;
2. For special and economic damages according to proof;
3. For costs of suit;
4. For attorneys' fees as allowed by law;
5. Pre-judgment interest; and
6. For such further relief as the Court deems just and proper.

Dated: April 24, 2018

LAW OFFICES OF TERESA LI, PC

/s/ Teresa Li

Teresa Li
Attorneys for Plaintiffs
RUBEN JUAREZ and ISELA
HERNANDEZ

BALABAN & SPIELBERGER, LLP

1 DATED: April 24, 2018

/s/Daniel K. Balaban

Daniel K. Balaban, Esq.,

Attorneys for Plaintiffs

RUBEN JUAREZ and ISELA

HERNANDEZ

EXHIBIT 5

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6 Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

11 RUBEN JUAREZ, an individual
12 and ISELA HERNANDEZ, an
13 individual,

14 Plaintiffs,

15 PRECISION VALVE &
16 AUTOMATION, INC., a
17 corporation and DOES 1-20,

18 Defendants.

Case No. CV17-03342-ODW (GJSX)

**FIRST AMENDED ANSWER TO
COMPLAINT BY DEFENDANT
PRECISION VALVE &
AUTOMATION, INC.**

20 **AMENDED ANSWER**

21 Defendant PRECISION VALVE & AUTOMATION, INC. provides the
22 following amended answer to the Complaint of Plaintiffs RUBEN JUAREZ and
23 ISELA HERNANDEZ, ("plaintiffs"), as follows:

24 **PARTIES AND JURISDICTION**

25 1. Answering paragraph 1, Defendant lacks sufficient knowledge or
26 information to form a belief as to the truth of the allegations of that paragraph, and
27 on that basis denies them.
28

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2. Answering paragraph 2, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations of that paragraph, and on that basis denies them.

3. Answering paragraph 3, Defendant admits the allegations.

4. Answering paragraph 4, Defendant denies the allegations as phrased. Defendant admits that it designed, manufactured and sold a PVA 350 that sprays substances.

5. Answering paragraph 5, Defendant admits that it sold a PVA 350 to SpaceX, located in Hawthorne, California, before 2012. Otherwise, Defendant denies the allegations.

6. Answering paragraph 6, Defendant denies the allegations.

7. Answering paragraph 7, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations of that paragraph, and on that basis denies them.

8. Answering paragraph 8, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations of that paragraph, and on that basis denies them.

9. Answering paragraph 9, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations of that paragraph, and on that basis denies them.

10. Answering paragraph 10, Defendant lacks sufficient knowledge or information to form a belief as to the truth of the allegations of that paragraph, and on that basis denies them.

GENERAL ALLEGATIONS

11. Answering paragraph 11, Defendant admits that the PVA 350 is a benchtop coating/dispensing system that sprays coatings and has an automated dispensing application. Defendant denies the remainder of this allegation as phrased.

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1 12. Answering paragraph 12, Defendant denies the allegations.

2 13. Answering paragraph 13, Defendant denies the allegations.

3 14. Answering paragraph 14, Defendant lacks sufficient knowledge or
4 information to form a belief as to the truth of the allegations of that paragraph, and
5 on that basis denies them.

6 15. Answering paragraph 15, Defendant lacks sufficient knowledge or
7 information to form a belief as to the truth of the allegations of that paragraph, and
8 on that basis denies them.

9 16. Answering paragraph 16, Defendant denies the allegations.

10 17. Answering paragraph 17, Defendant lacks sufficient knowledge or
11 information to form a belief as to the truth of the allegations of that paragraph, and
12 on that basis denies them.

13 18. Answering paragraph 18, Defendant denies the allegations.

14 19. Answering paragraph 19, Defendant denies the allegations.

15 20. Answering paragraph 20, Defendant denies the allegations.

16 21. Answering paragraph 21, Defendant denies the allegations.

17 22. Answering paragraph 22, Defendant denies the allegations.

18 23. Answering paragraph 23, Defendant denies the allegations.

19 24. Answering paragraph 24, Defendant denies the allegations.

20 25. Answering paragraph 25, Defendant denies the allegations.

21 26. Answering paragraph 26, Defendant denies the allegations.

22 27. Answering paragraph 27, Defendant denies the allegations.

23 28. Answering paragraph 28, Defendant denies the allegations.

24 29. Answering paragraph 29, Defendant denies the allegations.

25 30. Answering paragraph 30, Defendant denies the allegations.

26 31. Answering paragraph 31, Defendant lacks sufficient knowledge or
27 information to form a belief as to the truth of the allegations of that paragraph, and
28 on that basis denies them.

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1 32. Answering paragraph 32, Defendant lacks sufficient knowledge or
2 information to form a belief as to the truth of the allegations of that paragraph, and
3 on that basis denies them.

4 33. Answering paragraph 33, Defendant lacks sufficient knowledge or
5 information to form a belief as to the truth of the allegations of that paragraph, and
6 on that basis denies them.

7 34. Answering paragraph 34, Defendant lacks sufficient knowledge or
8 information to form a belief as to the truth of the allegations of that paragraph, and
9 on that basis denies them.

10 **FIRST CAUSE OF ACTION**

11 **NEGLIGENCE**

12 **(Against all Defendants)**

13 35. Answering paragraph 35, Defendant admits that plaintiffs refer to and
14 incorporates paragraphs 1-34 into this cause of action. Regarding those paragraphs,
15 Defendant refers to and incorporates paragraphs 1-34, above, in this Answer.

16 36. Answering paragraph 36, Defendant admits that the allegations except
17 for the allegations that it repaired and installed the PVA 350.

18 37. Answering paragraph 37, Defendant denies the allegations.

19 38. Answering paragraph 38, Defendant denies the allegations.

20 39. Answering paragraph 39, Defendant denies the allegations.

21 40. Answering paragraph 40, Defendant denies the allegations.

22 41. Answering paragraph 41, Defendant denies the allegations.

23 **SECOND CAUSE OF ACTION**

24 **STRICT PRODUCT LIABILITY**

25 **(Against all Defendants)**

26 42. Answering paragraph 42, Defendant admits that plaintiffs refer to and
27 incorporate paragraphs 1-41 into this cause of action. Regarding those paragraphs,
28 Defendant refers to and incorporates paragraphs 1-41, above, in this Answer.

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1 43. Answering paragraph 43, Defendant denies the allegations.

2 44. Answering paragraph 44, Defendant denies the allegations.

3 45. Answering paragraph 45, Defendant denies the allegations.

4 46. Answering paragraph 46, Defendant denies the allegations.

5 47. Answering paragraph 47, Defendant denies the allegations.

6 **THIRD CAUSE OF ACTION**

7 **LOSS OF CONSORTIUM**

8 **(Against all Defendants)**

9 48. Answering paragraph 48, Defendant admits that plaintiffs refer to and
10 incorporates paragraphs 1-47 into this cause of action. Regarding those paragraphs,
11 Defendant refers to and incorporates paragraphs 1-47, above, in this Answer.

12 49. Answering paragraph 49, Defendant denies the allegations.

13 50. Defendant denies that plaintiffs are entitled to any of the relief
14 requested in their prayer for relief.

15 **FIRST AFFIRMATIVE DEFENSE**

16 51. Defendant alleges that the Complaint does not state facts sufficient to
17 constitute a cause of action.

18 **SECOND AFFIRMATIVE DEFENSE**

19 52. Defendant alleges plaintiff Ruben Juarez was negligent and that his
20 negligence, in whole or in part, caused and contributed to the injury and damage
21 alleged in the Complaint.

22 **THIRD AFFIRMATIVE DEFENSE**

23 53. Defendant alleges plaintiff Ruben Juarez's employer was negligent or
24 acted in some other tortious manner, and that this conduct, in whole or in part,
25 caused and contributed to the injury and damage alleged in the Complaint.

26 **FOURTH AFFIRMATIVE DEFENSE**

27 54. Defendant alleges that other parties and other persons not parties to the
28 action acted negligently or in some other tortious manner, and that their negligence

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1 or other tortious conduct caused the injury and damage alleged in the Complaint.
2 Defendants request that in the event of a finding of any liability in favor of
3 Plaintiffs or settlement or judgment against this defendant, an apportionment of
4 fault be made as permitted by *Li v. Yellow Cab Company* and *American Motorcycle*
5 *Association v. Superior Court* by the court or jury. Defendant further requests a
6 judgment and declaration of partial indemnification and contribution against all
7 other parties or persons in accordance with the apportionment of fault.

8 **FIFTH AFFIRMATIVE DEFENSE**

9 55. Defendant alleges that it cannot be held responsible for the acts of
10 others or events beyond Defendant's control, which acts or events contributed in
11 whole or in part to the damages, claims, and causes of action alleged in the
12 Complaint.

13 **SIXTH AFFIRMATIVE DEFENSE**

14 56. Defendant alleges plaintiffs voluntarily and knowingly assumed the
15 risk of damage alleged in the Complaint. Plaintiffs' claims are therefore barred in
16 whole or in part by the doctrine of Assumption of Risk.

17 **SEVENTH AFFIRMATIVE DEFENSE**

18 57. Defendant alleges that Plaintiff Ruben Juarez agreed to, and
19 participated in, those actions which plaintiffs claim to have caused injury or
20 damage. Since such participation and consent were given knowingly and
21 voluntarily, plaintiffs' claims are invalid.

22 **EIGHTH AFFIRMATIVE DEFENSE**

23 58. Defendant alleges that it exercised due care and diligence in all matters
24 alleged in the complaint, and that no act or omission by Defendant was the
25 proximate cause of any damage, injury or loss to plaintiffs.

26 **NINTH AFFIRMATIVE DEFENSE**

27 59. Defendant alleges plaintiffs failed to exercise reasonable care and
28 diligence to mitigate their alleged damages.

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TENTH AFFIRMATIVE DEFENSE

60. Defendant alleges that plaintiff Ruben Juarez was a sophisticated user of Defendant's product due to his particular position, training, experience, education, knowledge, and/or skill, and knew or should have known of any risk, harm and/or danger of the product(s) and material(s) alleged against Defendant.

ELEVENTH AFFIRMATIVE DEFENSE

61. Defendant alleges that plaintiff Ruben Juarez's employer was a sophisticated user of Defendant's product due to its particular position, training, experience, knowledge, education and/or skill, and knew or should have known of any risk, harm and/or danger of the product(s) and material(s) alleged against Defendant.

TWELFTH AFFIRMATIVE DEFENSE

62. Defendant alleges that plaintiffs' claims are barred by the workers' compensation exclusivity rule.

THIRTEENTH AFFIRMATIVE DEFENSE

63. Defendant alleges that plaintiffs' claims are barred by all applicable statutes of limitations including but not limited to California Code of Civil Procedure sections 335, 335.1, 337, 338, 340, 340.8, 340.8(a) and 343.

FOURTEENTH AFFIRMATIVE DEFENSE

64. Defendant alleges that plaintiffs' claims are barred in whole or in part by the doctrine of laches.

FIFTEENTH AFFIRMATIVE DEFENSE

65. Defendant alleges that plaintiffs' claims are barred in whole or in part by the doctrine of unclean hands.

SIXTEENTH AFFIRMATIVE DEFENSE

66. Defendant alleges plaintiffs waived and are estopped and barred from alleging the matters set forth in their complaint based upon settlements, releases and/or agreements.

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SEVENTEENTH AFFIRMATIVE DEFENSE

67. Defendant alleges that plaintiffs' claims are barred in whole or in part by the doctrine of waiver.

EIGHTEENTH AFFIRMATIVE DEFENSE

68. Defendant alleges that plaintiffs' claims are barred in whole or in part by the doctrine of estoppel.

NINETEENTH AFFIRMATIVE DEFENSE

69. Defendant alleges that plaintiff Ruben Juarez's employer violated the Occupational Health and Safety Act of 1970, and subsequent statutory and regulatory law including but not limited to 29 CFR 1910.1200, et seq., (OSHA Hazard Communication Standard), 29 CFR 1910.132, et seq., (OSHA personal safety equipment rules), and 29 CFR 1904, et seq., (OSHA injury and illness recordkeeping and reporting requirements.)

TWENTIETH AFFIRMATIVE DEFENSE

70. Defendant alleges that current law prohibits plaintiffs' claims against this defendant.

71. Defendant reserves its right to assert additional defenses in the event its investigation and discovery indicate additional defenses would be appropriate.

WHEREFORE, Defendant prays for judgment as follows:

1. That Plaintiffs take nothing by reason of the Complaint;
2. For costs of suit;
3. For reasonable attorneys' fees; and
4. For such other relief as the court deems just and proper.

Dated: May 30, 2018

BECHERER KANNETT & SCHWEITZER

By:

/s/ Alex P. Catalona

Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION,
INC.

1 Shahrad Milanfar (SBN 201126)
smilanfar@bksca.com
2 Alex P. Catalona (SBN 200901)
acatalona@bksca.com
3 BECHERER KANNETT & SCHWEITZER
1255 Powell Street
4 Emeryville, CA 94608
Telephone: (510) 658-3600
5 Facsimile: (510) 658-1151
6 Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.
7

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 RUBEN JUAREZ an individual and ISELA) CASE NO. 2:17-cv-03342 ODW (GJS)
11 HERNANDEZ, an individual,)
12 Plaintiffs,) [Los Angeles County Superior Court
Case No. BC650229]
13 v.) **CERTIFICATE OF SERVICE**
14 PRECISION VALVE & AUTOMATION,)
INC., a corporation and DOES 1-20,)
15 Defendants.)
16

17 I, Jerry M. Dumlaio, declare that I am employed in the County of Alameda, State of
California; I am over the age of eighteen (18) years and not a party to the within entitled action;
18 my business address is 1255 Powell Street, Emeryville, California 94608.

19 On **June 4, 2018**, I caused to be served the foregoing:

20 **FIRST AMENDED ANSWER TO COMPLAINT BY DEFENDANT**
21 **PRECISION VALVE & AUTOMATION, INC.**

22 In said action by placing a true copy thereof enclosed in a sealed envelope and served in
23 the manner and/or manners described below to each of the parties herein and addressed as
follows:

24 *Attorneys for Plaintiff*

25 Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
6701 Koll Center Parkway, Suite 250
Pleasanton, CA 94566
26 Telephone: (415) 423-3377
Facsimile: (888) 646-5493
27 Email: teresa@lawofficesofteresali.com
28

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Schweitzer

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94608
510-658-3600

1 *Attorneys for Plaintiff*

Daniel K. Balaban, Esq.
Balaban & Spielberger, LLP
11999 San Vicente Blvd., Suite 345
Los Angeles, CA 90049
Telephone: (424) 832-7677
Facsimile: (424) 832-7702
Email: Daniel@dbaslaw.com

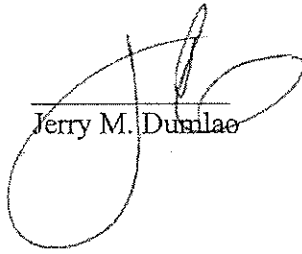
2
3
4
5
6 ☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
7 in the United States Mail at Emeryville, California. I am familiar with the mail
8 collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those
9 practices the envelope would be deposited with the United States Postal Service the
10 same day.

11 ☐ (By Personal Delivery) I caused such envelope to be delivered by hand to the office
12 of the addressee(s).

13 ☐ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile
14 number(s) of the addressee(s) designated.

15 ☐ **(Electronic Filing)** I am familiar with the United States District Court, Eastern
16 District of California's practice for collecting and processing electronic filings. Under
17 that practice, documents are electronically filed with the court. The CM/ECF system
18 will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge,
19 and any registered users in the case. The NEF will constitute service of the document.

20 Executed on June 4, 2018.

21
22
23
24
25
26
27
28

Jerry M. Dumlao

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Schweitzer

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EXHIBIT 6

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI, PC
315 Montgomery Street, 9th Floor
4 San Francisco, California 94104
Telephone: 415.423.3377
Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ and ISELA HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 RUBEN JUAREZ, an individual and
12 ISELA HERNANDEZ, an individual

13 Plaintiffs,

14 v.

15 PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20

16 Defendants.

Case No. 2:17-cv-03342-ODW-GJS

PLAINTIFFS' INITIAL DISCLOSURES

17
18 Come now Plaintiffs RUBEN JUAREZ, and ISELA HERNANDEZ, pursuant to Federal
19 Rule of Civil Procedure §26(a)(1) make the following initial disclosures:

20 1. **Witnesses**

- 21 a. Ruben Juarez who may testify as to the liability and damages of the case;
22 b. Isela Hernandez who may testify as to the liability and the damages of the
23 case;
24 c. John Pena of Space X who was Plaintiff's manager may testify as to the
25 liability and the damages of the case;
26 d. Heather Lord of Space X who was Plaintiff's HR dedicated to Plaintiff's
27 case may testify as to the liability and the damages of the case;
28 e. Mike Lynch of Space X's HR director who may testify as to the liability

1 and the damages of the case;

2 f. Jane Malubag of Space X who may testify as to the liability of the case;

3 g. Diane Prins of Space X who may testify as to the liability of the case;

4 h. Gregory Maxell of Space X who may testify as to the liability of the case;

5 i. Steven Schenkel MD of 116 N. Robertson Blvd. #806, Los Angeles, CA
6 90048 who may testify as to the liability and the damage of the case;

7 j. Joseph Chambers, M.D. of Facey who may testify as to the liability and the
8 damages of the case;

9 k. Shendee Teng, MD of Providence Holy Cross Medical Center who may
10 testify as to the liability and the damages of the case;

11 l. Fung-Chuan Ara G. Tilkian MD of Providence Holy Cross Medical Center
12 who may testify as to the liability and the damages of the case;

13 m. Daniel Belayneh MD who may testify as to the liability and the damages of
14 the case

15 n. Albert Ko MD of Facey who may testify as to the liability and the damages
16 of the case;

17 o. Kim Grace MD of Facey who may testify as to the liability and the
18 damages of the case;

19 p. Kevin Vuong, MD of Facey who may testify as to the liability and the
20 damages of the case

21 q. Herrera-Espinoza Haydee MD of Facey who may testify as to the liability
22 and the damages of the case;

23 r. Tam Te MD of Facey who may testify as to the liability and the damages
24 of the case;

25 s. Palmer MD of Dignity Health Northridge Hospital who may testify as to
26 the liability and the damages of the case;

27 t. DeLa Lama MD of Dignity Health Northridge Hospital who may testify as
28

1 to the liability and the damages of the case;

2 u. Marcel Maya MD of Cedars Sinai who may testify as to the liability and
3 the damages of the case

4 v. Asma M. Moheet MD of Cedars Sinai who may testify as to the liability
5 and the damages of the case;

6 w. Michael J. Alexander MD of Cedars Sinai who may testify as to the
7 liability and the damages of the case

8 x. Ashish D. Patel MD of Cedars Sinai who may testify as to the liability and
9 the damages of the case;

10 y. Penelope G. Kornbluth RN of Cedars Sinai who may testify as to the
11 liability and the damages of the case;

12 z. Omotola E. Johnson MD of Cedars Sinai who may testify as to the liability
13 and the damages of the case;

14 aa. Michael Alyesh MD of Cedars Sinai who may testify as to the liability and
15 the damages of the case;

16 bb. Karen Altman MD of Cedars Sinai who may testify as to the liability and
17 the damages of the case;

18 cc. Rachel C Pearl MD of Cedars Sinai who may testify as to the liability and
19 the damages of the case;

20 dd. Shlee S. Song of Cedars Sinai who may testify as to the liability and the
21 damages of the case;

22 ee. Marcel Maya MD of Cedars Sinai who may testify as to the liability and
23 the damages of the case;

24 ff. Barry D. Pressman MD of Cedars Sinai who may testify as to the liability
25 and the damages of the case;

26 gg. Shervin Eshaghian, MD of Cedars Sinai who may testify as to the liability
27 and the damages of the case;

1 hh. Ronald Lang, MD of Cedars Sinai who may testify as to the liability and
2 the damages of the case;

3 ii. Jay Jurkowitz MD of Cedars Sinai who may testify as to the liability and
4 the damages of the case;

5 jj. Robert D. Sacks MD of Cedars Sinai who may testify as to the liability and
6 the damages of the case

7 kk. Mgngnam MD of Digital Health Northridge Hospital who may testify as to
8 the liability and the damages of the case

9 ll. Susan Kranzpiller MD of Facey who may testify as to the liability and the
10 damages of the case

11 mm. Chris Aghayan MD of Facey who may testify as to the liability and the
12 damages of the case;

13 nn. Donald Downs MD of Facey who may testify as to the liability and the
14 damages of the case;

15 oo. Ravi Prasad of Cedars Sinai who may testify as to the liability and the
16 damages of the case;

17 pp. Mody Cyrus K. MD of Cedars Sinai who may testify as to the liability and
18 the damages of the case;

19 qq. Robert O Ruder MD of Cedars Sinai who may testify as to the liability and
20 the damages of the case;

21 rr. Steven Rudd MD of Cedars Sinai who may testify as to the liability and the
22 damages of the case;

23 ss. Mario Salazar Escudero RN of Cedars Sinai who may testify as to the
24 liability and the damages of the case;

25 tt. Elizabeth Homan RN of Cedars Sinai who may testify as to the liability
26 and the damages of the case;

27 uu. Dayle Robson MD of Cedars Sinai who may testify as to the liability and
28

1 the damages of the case;

2 vv. Bernard Tansman of Cedars Sinai who may testify as to the liability and
3 the damages of the case;

4 ww. James Tourje MD of Cedars Sinai who may testify as to the liability and
5 the damages of the case;

6 xx. Sari M. Cuervo RN of Cedars Sinai who may testify as to the liability and
7 the damages of the case;

8 yy. Gregory Castillo MD of Facey who may testify as to the liability and the
9 damages of the case;

10 zz. David Shaw MD of Facey who may testify as to the liability and the
11 damages of the case;

12 aaa. Anthony J. Loffredo MD of Cedars Sinai who may testify as to the liability
13 and the damages of the case;

14 bbb. Lindsey Christie RN of Cedars Sinai who may testify as to the liability and
15 the damages of the case;

16 ccc. Menahem Maya MD of Cedars Sinai who may testify as to the liability and
17 the damages of the case;

18 ddd. Lana L Milton MD of Cedars Sinai who may testify as to the liability and
19 the damages of the case;

20 eee. Ronald Andiman MD of Cedars Sinai who may testify as to the liability
21 and the damages of the case;

22 fff. Atul Sharma of Facey who may testify as to the liability and the damages
23 of the case;

24 ggg. Lloyd Wagnes of Facey who may testify as to the liability and the damages
25 of the case;

26 hhh. Zack Rassmussen of Cedars Sinai who may testify as to the liability and
27 the damages of the case;

28

1 iii. Vahe Mooradian MD of Facey who may testify as to the liability and the
2 damages of the case;
3 jjj. Connie Yi Kim RN of Cedars Sinai who may testify as to the liability and
4 the damages of the case;
5 kkk. Alan J Coe MD of Cedars Sinai who may testify as to the liability and the
6 damages of the case;
7 lll. Madhavi Lekkala MD of Facey who may testify as to the liability and the
8 damages of the case;
9 mmm. Douglas Prisco MD of Facey who may testify as to the liability and the
10 damages of the case;
11 nnn. Rabin Nikjoo MD of PHCMC who may testify as to the liability and the
12 damages of the case;
13 ooo. Carrole Lewis RN of PHCMC who may testify as to the liability and the
14 damages of the case;
15 ppp. Gregory Paranay MD of PHCMC who may testify as to the liability and
16 the damages of the case;
17 qqq. Rinka Shiraishi RN of Cedars Sinai who may testify as to the liability and
18 the damages of the case;
19 rrr. Dayle D Robson of Cedars Sinai who may testify as to the liability and the
20 damages of the case;
21 sss. Jaime A Diaz MD of PHCMC who may testify as to the liability and the
22 damages of the case;
23 ttt. Michael Pecoraro RN of PHCMC who may testify as to the liability and
24 the damages of the case
25 uuu. Nichole K Crouch RN of PHCMC who may testify as to the liability and
26 the damages of the case
27 vvv. Christopher Hougen MD of Facey who may testify as to the liability and
28

1 the damages of the case;

2 www. Martin Applebaum of Facey who may testify as to the liability and the
3 damages of the case

4 xxx. Magued Beshay MD of Facey who may testify as to the liability and the
5 damages of the case;

6 yyy. Dharmesh Patel of Facey who may testify as to the liability and the
7 damages of the case

8 zzz. David Shaw MD of Facey who may testify as to the liability and the
9 damages of the case

10 aaaa. Youssef Youssef MD of Facey who may testify as to the liability and the
11 damages of the case

12 bbbb. Kevin Vuong MD of Facey who may testify as to the liability and the
13 damages of the case;

14 cccc. Meredith R D'Anna RN of PHCMC who may testify as to the liability and
15 the damages of the case

16 dddd. Jamie A Diaz MD of PHCMC who may testify as to the liability and the
17 damages of the case

18 eeee. Barry Wilen MD of PHCMC who may testify as to the liability and the
19 damages of the case

20 ffff. Jong Lee MD of Facey who may testify as to the liability and the damages
21 of the case

22 gggg. Daniel Brison MD of Facey who may testify as to the liability and the
23 damages of the case

24 hhhh. Colin W Stokol MD of Cedars Sinai who may testify as to the liability and
25 the damages of the case;

26 iiii. Defendant's persons most knowledgeable regarding the design and
27 operation of PVA 350;
28

1 jjjj. Defendant's persons most knowledgeable regarding the chemicals that
2 were going to be sprayed by the PVA 350 at issue;

3 **2. Documents:**

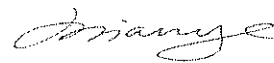
- 4 a. Plaintiff Ruben Juarez's medical records and billing records
5 b. PVA 350 and PVA 650 specifications;
6 c. MSDS sheets;
7 d. Photos of Plaintiffs;
8 e. Plane tickets and trip protection of Plaintiff Isela Hernandez and their
9 daughter;
10 f. Emails of Plaintiff Ruben Juarez
11 g. W2 of Plaintiff Ruben Juarez 2012-2014

12 **3. Damages computation and supporting documents:** Plaintiff Ruben Juarez
13 claims past and future medical costs, past and future wage loss, and pain and suffering. Plaintiff
14 Isela Hernandez claims loss of consortium. The supporting documents will be produced.

15 Plaintiffs retain the right to supplement the disclosure with information learned through
16 discovery.

17
18
19 Dated: August 16, 2017

LAW OFFICES OF TERESA LI, PC



21
22 Teresa Li
23 Attorneys for Plaintiffs
24 RUBEN JUAREZ and ISELA HERNANDEZ
25
26
27
28

PROOF OF SERVICE

State of California, County of San Francisco

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 315 Montgomery Street, 9th Floor, San Francisco, CA 94104.

On the date listed below, I served the following documents: in the manner and/or manners described below to each of the parties herein and addressed as stated below:

• **Plaintiff's Initial Disclosure**

Shahrad Milanfar
smilanfar@bkscal.com
Alex P. Catalona
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608

____ United States Postal Service, U.S. Mail, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, CA. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

____ Facsimile Transmission

____ Hand delivery by Courier: same day delivery

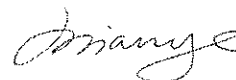
 X Other: E-Mail. pdf attachment

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 16, 2017, at San Francisco, California.

Teresa Li

Type or Print Name



Signature

EXHIBIT 7

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA
HERNANDEZ, an individual,

CASE NO. 2:17-cv-003342

Plaintiffs,

v.

PRECISION VALVE & AUTOMATION,
INC., a corporation and DOES 1-20,

**PRECISION VALVE &
AUTOMATION, INC.'S INITIAL
DISCLOSURES PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 26(A)(1)**

Defendants

Defendant Precision Valve & Automation, Inc. ("PVA") provides the
following Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1):
**FRCP 26(a)(1)(A)(i) - The name and, if known, the address and telephone
number of each individual likely to have discoverable information – along with
the subjects of that information – that the disclosing party may use to support
its claims or defenses, unless the use would be solely for impeachment.**

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Emeryville, CA
94608
510-658-3600

1 Pursuant to FRCP 26(a)(1)(A)(i), PVA identifies the following witnesses
2 who may have information related to PVA's products, plaintiff Ruben Juarez's
3 claims and/or SpaceX (1) Plaintiffs' witnesses: plaintiff Ruben Juarez, and (2) PVA
4 witnesses: Frank Hart, Sales Manager; Jeff Van Norden, Engineering Manager; Jon
5 Connelly, Rework Sales Manager; Alex Duggan, Project Engineer; Mark Kniese,
6 Controls Engineer; Andrew Haraburda, Customer Service Tech; and Michael
7 Leonard, Customer Service Tech. PVA has not identified all relevant witnesses
8 regarding this action including any witnesses plaintiffs may identify in their Rule
9 26 Disclosures and reserves its right to supplement this disclosure in accordance
10 with Fed. R. Civ. P. Rule 26(e).
11

12 **FRCP 26(a)(1)(A)(ii) - A copy – or a description by category and location – of**
13 **all documents, electronically stored information, and tangible things that the**
14 **disclosing party has in its possession, custody, or control and may use to**
15 **support its claims or defenses, unless the use would be solely for impeachment.**
16

17 Pursuant to FRCP 26(a)(1)(A)(ii), PVA will provide under separate letter to
18 plaintiffs' attorney electronic versions of non-privileged documents that it may use
19 to support its claims and/or defenses in this action. These documents consist of
20 product-related documents, sales-related documents, engineering and design
21 documents, emails, and other written and electronic communications. PVA also
22

23
24 Becherer
Kannett &
Schweitzer

25
26 1255
Powell St.

27 Emeryville, CA
94608
510-658-3600

1 lists the following documents which have been requested from plaintiffs and third
2 parties but have not yet been received:

- 3
4 1. Any and all medical, employment and work history records relating to
5 Ruben Juarez;
- 6
7 2. Any and all records related to the two workers' compensation actions
8 by Ruben Juarez related to his work at SpaceX (including but not
9 limited to any forms, hearings, decisions, pleadings, claims, deposition
10 transcripts, testimony, communications, reports, expert reports and
11 medical records); and
- 12
13 3. Any relevant business records, communications and/or product records
14 of SpaceX.

15
16 Discovery regarding these matters is continuing and PVA reserves its right to
17 supplement this disclosure in accordance with Fed. R. Civ. P. Rule 26(e). PVA has
18 not disclosed and will not disclose any information or documents protected by the
19 attorney client privilege or work product rule, and does not believe that any such
20 information or documents may be used to support its claims or defenses in this
21 action.
22
23

24 **FRCP 26(a)(1)(A)(iii) - A computation of each category of damages claimed by**
25 **the disclosing party – who must also make available for inspection and copying**
26 **as under Rule 34 the documents or other evidentiary material, unless**
27
28

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Emeryville, CA
94608
510-658-3600

1 privileged or protected from disclosure, on which each computation is based,
2 including materials bearing on the nature and extent of injuries suffered.
3

4 PVA is not alleging damages at this time. This response, however, does not
5 waive PVA's right to assert all appropriate litigation costs including attorneys' fees
6 and expert witness costs after the merits of plaintiffs' lawsuit are decided.
7


8 **FRCP 26(a)(1)(A)(iv) - For inspection and copying as under Rule 34, any**
9 **insurance agreement under which an insurance business may be liable to**
10 **satisfy part or all of a possible judgment in the action or to indemnify or**
11 **reimburse for payments made to satisfy the judgment.**
12

13 FRCP 26(a)(1)(A)(iv), PVA will provide under separate letter to plaintiffs'
14 attorney electronic versions of its insurance policies which may provide coverage
15 regarding plaintiffs' action.
16

17
18 DATED: August 16, 2017

BECHERER KANNETT & SCHWEITZER

19
20
21 By:



22 Alex P. Catalona,
23 Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

24 Becherer
25 Kannett &
Schweitzer

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27 Emeryville, CA
94608
510-658-3600
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Shahrad Milanfar (SBN 201126)
smilanfar@bksca.com
Alex P. Catalona (SBN 200901)
acatalona@bksca.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On August 16, 2017, I caused to be served the foregoing:

**PRECISION VALVE & AUTOMATION, INC.'S INITIAL DISCLOSURES
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(A)(1)**

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
315 Montgomery Street, 9th Floor
San Francisco, California 94104
Telephone: (415) 423-3377
Facsimile: (888) 646-5493
Email: teresa@lawofficesofteresali.com

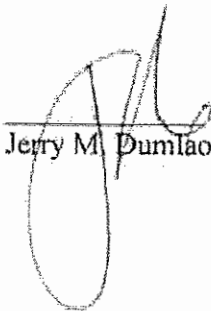
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1 ☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
2 in the United States Mail at Emeryville, California. I am familiar with the mail
3 collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those
4 practices the envelope would be deposited with the United States Postal Service the
5 same day.

6 ☒ **(Electronic Filing)** I am familiar with the United States District Court, Eastern
7 District of California's practice for collecting and processing electronic filings. Under
8 that practice, documents are electronically filed with the court. The CM/ECF system
9 will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge,
10 and any registered users in the case. The NEF will constitute service of the document.

11 Executed on August 16, 2017.

12 
13 Jerry M. Dumlao
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EXHIBIT 8

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
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1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

v.

PRECISION VALVE & AUTOMATION,
INC., a corporation and DOES 1-20,

Defendants

CASE NO. 2:17-cv-003342

**PRECISION VALVE &
AUTOMATION, INC.'S
SUPPLEMENTAL
DISCLOSURES PURSUANT TO
FEDERAL RULES OF CIVIL
PROCEDURE 26(A)(1) AND 26(E)**

Defendant Precision Valve & Automation, Inc. ("PVA") supplements its Initial Disclosures pursuant to Federal Rules of Civil Procedure 26(a)(1) and 26(e): **FRCP 26(a)(1)(A)(i) - The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.**

Pursuant to FRCP 26(a)(1)(A)(i), PVA previously identified the following witnesses who may have information related to PVA's products, plaintiff Ruben Juarez's claims and/or SpaceX (1) Plaintiffs' witnesses: plaintiff Ruben Juarez, and

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(2) PVA witnesses: Frank Hart, Sales Manager; Jeff Van Norden, Engineering Manager; Jon Connelly, Rework Sales Manager; Alex Duggan, Project Engineer; Mark Kniese, Controls Engineer; Andrew Haraburda, Customer Service Tech; and Michael Leonard, Customer Service Tech.

PVA has learned by reviewing documents produced during discovery that the following additional witnesses may have information related to PVA's products and defenses, plaintiff Ruben Juarez's claims, and/or SpaceX:

Express Manufacturing, Inc. ("EMI"):

Address and telephone number: 3519 West Warner Avenue, Santa Ana, CA 92704, (714) 979-2228.

Witnesses: Dong Nguyen, Vincent Dones.

REStronics Southern California:

Address and telephone number: 27128 Paseo Espada B603, San Juan Capistrano, CA 92675, (949) 394-2720.

Witness: Bill Burns.

Precision Valve & Automation, Inc. ("PVA"):

Address and telephone number: One Mustang Drive, Cohoes, NY 12047, (518) 371-2684. PVA witnesses should be reached through counsel of record listed above.

Witnesses: Richard Bievenue, Rex Ellis, Chris Evans, David Filbert, David Gomez, Rodrigo Gutierrez, Gavin Matupang, and Jon Urquhart.

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1 Space Exploration Technologies Corp. ("SpaceX"):

2 Address and telephone number: 1 Rocket Road, Hawthorne, CA 90250 (310)
3 363-6000.

4 Witnesses: Scott Alberta, Jose Bernabe, Edwin Chiu, David DiDomenico,
5 Antonio Figueroa, David Hwang, Heather Lord, Jane Malabug, Art Geitler, Brian
6 Ignaut, Andrea Jarrett, Mike Lynch, Gregory Maxwell, Duc Phan, Diane Prins,
7 Adam Protano, John Pena, Pascale Roux, Marsha Thompson, Juan Sotelo, and
8 Nicholas Wong.

9 Relevant information regarding this case may also be learned from numerous
10 treating physicians and other medical providers related to plaintiff Ruben Juarez's
11 claims and medical conditions, including numerous witnesses and retained expert
12 witnesses who have been identified in documents produced from Mr. Juarez's
13 workers' compensation case. PVA has not identified all relevant witnesses
14 regarding this lawsuit including any witnesses plaintiffs may identify in their Rule
15 26 Disclosures and supplemental disclosures, and reserves its right to supplement
16 this disclosure in accordance with Fed. R. Civ. P. Rule 26(e).

17 **FRCP 26(a)(1)(A)(ii) - A copy – or a description by category and location – of**
18 **all documents, electronically stored information, and tangible things that the**
19 **disclosing party has in its possession, custody, or control and may use to**
20 **support its claims or defenses, unless the use would be solely for impeachment.**

21 Pursuant to FRCP 26(a)(1)(A)(ii), PVA will provide under separate letter to
22 plaintiffs' attorney electronic versions of non-privileged documents that it may use
23 to support its claims and/or defenses in this action. These documents consist of
24 product-related documents, sales-related documents, engineering and design
25 documents, emails, and other written and electronic communications. PVA also
26 lists the following documents which have been requested from plaintiffs' attorneys
27 and third parties, some of which has already been produced:
28

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1. Any and all medical, employment and work history records relating to Ruben Juarez;
2. Any and all records related to the two workers' compensation actions by Ruben Juarez related to his work at SpaceX (including but not limited to any forms, hearings, decisions, pleadings, claims, deposition transcripts, testimony, communications, reports, expert reports and medical records); and
3. Any relevant business records, communications and/or product records of SpaceX.

Discovery regarding these matters is continuing and PVA reserves its right to supplement this disclosure in accordance with Fed. R. Civ. P. Rule 26(e). PVA has not disclosed and will not disclose any information or documents protected by the attorney client privilege or work product rule, and does not believe that any such information or documents may be used to support its claims or defenses in this action.

FRCP 26(a)(1)(A)(iii) - A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

PVA is not alleging damages at this time. This response, however, does not waive PVA's right to assert all appropriate litigation costs including attorneys' fees and expert witness costs after the merits of plaintiffs' lawsuit are decided.

FRCP 26(a)(1)(A)(iv) - For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy part or all of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

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1 FRCP 26(a)(1)(A)(iv), PVA has already provided under separate letter to
2 plaintiffs' attorney electronic versions of its insurance policies which may provide
3 coverage regarding plaintiffs' action.

4 DATED: June 25, 2018

BECHERER KANNETT & SCHWEITZER

7 By:



8 Alex P. Catalona,
9 Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

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EXHIBIT 9

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Daniel K. Balaban, SBN 243652

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San Francisco, California 94104

Tel: (415) 423-3377

Fax: (888) 646-5493

Teresa Li, SBN 278779

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

RUBEN JUAREZ, an individual and
ISELA HERNANDEZ, an individual

Plaintiffs,

v.

PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20

Defendants.

Case No.: 2:17-cv-03342

Honorable Otis D. Wright II.

**PLAINTIFFS' SUPPLEMENTAL
DISCLOSURES PURSUANT TO
FEDERAL RULES OF CIVIL
PROCEDURE 26(a)(1) and 26(e)1**

1 Come now Plaintiffs RUBEN JUAREZ, and ISELA HERNANDEZ,
2 pursuant to Federal Rule of Civil Procedure §26(a)1 and 26(e)1 make the
3 following supplemental disclosures:

4 FRCP 26(a)(1)(A)(i) - The name and, if known, the address and telephone
5 number of each individual likely to have discoverable information - along with the
6 subjects of that information - that the disclosing party may use to support its
7 claims or defenses, unless the use would be solely for impeachment.
8

9 Pursuant to FRCP 26(a)(1)(A)(i), Plaintiffs previously identified the following:

10 Witnesses:

- 11 a. Ruben Juarez who may testify as to the liability and damages of the case;
12 b. Isela Hernandez who may testify as to the liability and the damages of the
13 case;
14 c. John Pena of Space X who was Plaintiff's manager may testify as to the
15 liability and the damages of the case;
16 d. Heather Lord of Space X who was Plaintiff's HR dedicated to Plaintiff's
17 case may testify as to the liability and the damages of the case;
18 e. Mike Lynch of Space X's HR director who may testify as to the liability
19 and the damages of the case;
20 f. Jane Malubag of Space X who may testify as to the liability of the case;
21 g. Diane Prins of Space X who may testify as to the liability of the case;
22 h. Gregory Maxell of Space X who may testify as to the liability of the case;
23 i. Steven Schenkel MD of 116 N. Robertson Blvd. #806, Los Angeles, CA
24 90048 who may testify as to the liability and the damage of the case;
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1 j. Joseph Chambers, M.D. of Facey who may testify as to the liability and
2 the damages of the case;

3 k. Shendee Teng, MD of Providence Holy Cross Medical Center who may
4 testify as to the liability and the damages of the case;

5 l. Fung-Chuan Ara G. Tilkian MD of Providence Holy Cross Medical Center
6 who may testify as to the liability and the damages of the case;

7 m. Daniel Belayneh MD who may testify as to the liability and the damages
8 of the case

9 n. Albert Ko MD of Facey who may testify as to the liability and the
10 damages of the case;

11 o. Kim Grace MD of Facey who may testify as to the liability and the
12 damages of the case;

13 p. Kevin Vuong, MD of Facey who may testify as to the liability and the
14 damages of the case;

15 q. Herrera-Espinoza Haydee MD of Facey who may testify as to the liability
16 and the damages of the case;

17 r. Tam Te MD of Facey who may testify as to the liability and the damages
18 of the case;

19 s. Palmer MD of Dignity Health Northridge Hospital who may testify as to
20 the liability and the damages of the case;

21 t. DeLa Lama MD of Dignity Health Northridge Hospital who may testify as
22 to the liability and the damages of the case;

1 u. Marcel Maya MD of Cedars Sinai who may testify as to the liability and
2 the damages of the case

3 v. Asma M. Moheet MD of Cedars Sinai who may testify as to the liability
4 and the damages of the case;

5 w. Michael J. Alexander MD of Cedars Sinai who may testify as to the
6 liability and the damages of the case;

7 x. Ashish D. Patel MD of Cedars Sinai who may testify as to the liability and
8 the damages of the case;

9 y. Penelope G. Kornbluth RN of Cedars Sinai who may testify as to the
10 liability and the damages of the case;

11 z. Omotola E. Johnson MD of Cedars Sinai who may testify as to the liability
12 and the damages of the case;

13 aa. Michael Alyesh MD of Cedars Sinai who may testify as to the liability and
14 the damages of the case;

15 bb. Karen Altman MD of Cedars Sinai who may testify as to the liability and
16 the damages of the case;

17 cc. Rachel C. Pearl MD of Cedars Sinai who may testify as to the liability and
18 the damages of the case;

19 dd. Shlee S. Song of Cedars Sinai who may testify as to the liability and the
20 damages of the case;

21 ee. Marcel Maya MD of Cedars Sinai who may testify as to the liability and
22 the damages of the case;

1 ff. Barry D. Pressman MD of Cedars Sinai who may testify as to the liability
2 and the damages of the case;

3 gg. Shervin Eshaghian, MD of Cedars Sinai who may testify as to the liability
4 and the damages of the case;

5 hh. Ronald Lang, MD of Cedars Sinai who may testify as to the liability and
6 the damages of the case;

7 ii. Jay Jurkowitz MD of Cedars Sinai who may testify as to the liability and
8 the damages of the case;

9 jj. Robert D. Sacks MD of Cedars Sinai who may testify as to the liability
10 and the damages of the case;

11 kk. Mgngnam MD of Digital Health Northridge Hospital who may testify as to
12 the liability and the damages of the case;

13 ll. Susan Kranzpiller MD of Facey who may testify as to the liability and the
14 damages of the case;

15 mm. Chris Aghayan MD of Facey who may testify as to the liability and
16 the damages of the case;

17 nn. Donald Downs MD of Facey who may testify as to the liability and the
18 damages of the case;

19 oo. Ravi Prasad of Cedars Sinai who may testify as to the liability and the
20 damages of the case;

21 pp. Mody Cyrus K. MD of Cedars Sinai who may testify as to the liability and
22 the damages of the case;

1 qq. Robert O. Ruder MD of Cedars Sinai who may testify as to the liability
2 and the damages of the case;

3 rr. Steven Rudd MD of Cedars Sinai who may testify as to the liability and
4 the damages of the case;

5 ss. Mario Salazar Escudero RN of Cedars Sinai who may testify as to the
6 liability and the damages of the case;

7 tt. Elizabeth Homan RN of Cedars Sinai who may testify as to the liability
8 and the damages of the case;

9 uu. Dayle Robson MD of Cedars Sinai who may testify as to the liability and
10 the damages of the case;

11 vv. Bernard Tansman of Cedars Sinai who may testify as to the liability and
12 the damages of the case;

13 ww. James Tourje MD of Cedars Sinai who may testify as to the liability
14 and the damages of the case;

15 xx. Sari M. Cuervo RN of Cedars Sinai who may testify as to the liability and
16 the damages of the case;

17 yy. Gregory Castillo MD of Facey who may testify as to the liability and the
18 damages of the case;

19 zz. David Shaw MD of Facey who may testify as to the liability and the
20 damages of the case;

21 aaa. Anthony J. Loffredo MD of Cedars Sinai who may testify as to the
22 liability and the damages of the case;

1 bbb. Lindsey Christie RN of Cedars Sinai who may testify as to the
2 liability and the damages of the case;

3 ccc. Menahem Maya MD of Cedars Sinai who may testify as to the
4 liability and the damages of the case;

5 ddd. Lana L Milton MD of Cedars Sinai who may testify as to the
6 liability and the damages of the case;

7 eee. Ronald Andiman MD of Cedars Sinai who may testify as to the
8 liability and the damages of the case;

9 fff. Atul Sharma of Facey who may testify as to the liability and the damages
10 of the case;

11 ggg. Lloyd Wagnes of Facey who may testify as to the liability and the
12 damages of the case;

13 hhh. Zack Rassmussen of Cedars Sinai who may testify as to the liability
14 and the damages of the case;

15 iii. Vahe Mooradian MD of Facey who may testify as to the liability and the
16 damages of the case;

17 jjj. Connie Yi Kim RN of Cedars Sinai who may testify as to the liability and
18 the damages of the case;

19 kkk. Alan J Coe MD of Cedars Sinai who may testify as to the liability
20 and the damages of the case;

21 lll. Madhavi Lekkala MD of Facey who may testify as to the liability and the
22 damages of the case;

1 mmm. Douglas Prisco MD of Facey who may testify as to the liability and
2 the damages of the case;

3 nnn. Rabin Nikjoo MD of PHCMC who may testify as to the liability and
4 the damages of the case;

5 ooo. Carrole Lewis RN of PHCMC who may testify as to the liability and
6 the damages of the case;

7 ppp. Gregory Paranay MD of PHCMC who may testify as to the liability
8 and the damages of the case;

9 qq. Rinka Shiraishi RN of Cedars Sinai who may testify as to the
10 liability and the damages of the case;

11 rrr. Dayle D Robson of Cedars Sinai who may testify as to the liability and the
12 damages of the case;

13 sss. Jaime A Diaz MD of PHCMC who may testify as to the liability and
14 the damages of the case;

15 ttt. Michael Pecoraro RN of PHCMC who may testify as to the liability and
16 the damages of the case;

17 uuu. Nichole K Crouch RN of PHCMC who may testify as to the liability
18 and the damages of the case;

19 vvv. Christopher Hougen MD of Facey who may testify as to the liability
20 and the damages of the case;

21 www. Martin Applebaum of Facey who may testify as to the liability and
22 the damages of the case;

1 xxx. Magued Beshay MD of Facey who may testify as to the liability and
2 the damages of the case;

3 yyy. Dharmesh Patel of Facey who may testify as to the liability and the
4 damages of the case;

5 zzz. David Shaw MD of Facey who may testify as to the liability and the
6 damages of the case;

7
8 aaaa. Youssef Youssef MD of Facey who may testify as to the liability
9 and the damages of the case;

10 bbbb. Kevin Vuong MD of Facey who may testify as to the liability and
11 the damages of the case;

12 cccc. Meredith R D'Anna RN of PHCMC who may testify as to the
13 liability and the damages of the case;

14 dddd. Jamie A Diaz MD of PHCMC who may testify as to the liability and
15 the damages of the case;

16 eeee. Barry Wilen MD of PHCMC who may testify as to the liability and
17 the damages of the case;

18 ffff. Jong Lee MD of Facey who may testify as to the liability and the
19 damages of the case;

20 gggg. Daniel Brison MD of Facey who may testify as to the liability and
21 the damages of the case;

22 hhhh. Colin W Stokol MD of Cedars Sinai who may testify as to the
23 liability and the damages of the case;

1 iiii. Defendant's persons most knowledgeable regarding the design and
2 operation of PVA 350;

3 jjjj. Defendant's persons most knowledgeable regarding the chemicals
4 that were going to be sprayed by the PVA 350 at issue;
5

6 **Plaintiff has learned by reviewing documents during discovery that the**
7 **following additional witnesses may have information related to Plaintiffs' claims,**
8 **PVA's products, and/or SpaceX.**

9 1. **Jose Vasquez**

10 Address: 8922 Nogal Avenue, Whittier, CA.

11 Mr. Vasquez is a former SpaceX electronic technician.

12 2. **Precision Valve & Automation. Inc. ("PVA"):**

13 **Witnesses:** Frank Hart, Sales Manager; Jeff Van Norden, Engineering Manager;
14 Jon Connelly, Rework Sales Manager; Alex Duggan, Project Engineer; Mark Kniese,
15 Controls Engineer; Andrew Haraburda, Customer Service Tech; Michael Leonard,
16 Customer Service Tech; Richard Bievenue; Rex Ellis; Chris Evans; David Filbert;
17 David Gomez; Rodrigo Gutierrez; Gavin Matupang and Jon Urquhart.
18

19 3. **Space Exploration Technologies Corp. ("SpaceX"):**

20 Address and telephone number: 1 Rocket Road, Hawthorne, CA 90250 (310)
21 363-6000.
22

23 **Witnesses:** Francisco whose last name is unknown, Juan whose last name is
24 unknown, Scott Alberta, Jose Bernabe, Edwin Chiu, David DiDomenico, Antonio
25 Figueroa, David Hwang, Heather Lord, Jane Malabug, Art Geitler, Brian Ignaut,
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27
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1 Andrea Jarrett, Mike Lynch, Gregory Maxwell, Due Phan, Diane Prins, Adam Protano,
2 John Pena, Pascale Roux, Marsha Thompson, Juan Sotelo, and Nicholas Wong.

3 **4. Express Manufacturing. Inc. ("EMI"):**

4 Address and telephone number: 3519 West Warner Avenue, Santa Ana, CA
5 92704, (714) 979-2228.

6 **Witnesses:** Dong Nguyen, Vincent Dones.

7 **5. Restronics Southern California:**

8 Address and telephone number: 27128 Paseo Espada B603, San Juan Capistrano,
9 CA 92675, (949) 394-2720.

10 **Witness:** Bill Bums.

11 **6. Ever Garcia**

12 Mr. Garcia's phone number is (661) 310-6173. Mr. Garcia is the Plaintiff's
13 friend who may testify as to the liability and the damages of the case.

14 **7. Eduardo Soto**

15 Mr. Soto's phone number is (818) 486-1617. Soto is Plaintiff's nephew who
16 may testify as to the liability and the damages of the case.

17 **8. Linda Soto**

18 Ms. Soto's phone number is (818) 205-4934. She is Eduardo Soto's wife.

19 Ms. Soto may testify as to the liability and the damage of the case.

20 **9. Sheila Tai, MD of Facey**

21 Dr. Tai may testify as to the liability and the damages of the case;

22 **10. Batah Jihad, MD of Facey**

23 Dr. Jihad may testify as to the liability and the damages of the case;

1 **11. Navid Eghbalieh, MD of Facey**

2 Dr. Eghbalieh may testify as to the liability and the damages of the case;

3 **12. Doris Cardenas, MD of Facey**

4 Dr. Dr. Cardenas may testify as to the liability and the damages of the case;

5 **13. Jackie Swanson, MD of Facey**

6 Dr. Swanson may testify as to the liability and the damages of the case;

7 **14. Henry Shih, MD of Providence Holy Cross Medical Center**

8 Dr. Shih may testify as to the liability and the damages of the case;

9 **15. Helen Palatinus, MD of Cedar Sinai Medical Center**

10 Dr. Palatinus may testify as to the liability and the damages of the case;

11 **16. John Yamashita, MD of Providence Holy Cross Medical Center**

12 Dr. Yamashita may testify as to the liability and the damages of the case;

13 **17. Joseph Tang, MD**

14 Dr. Tang may testify as to the liability and the damages of the case;

15 **18. Vincent Fennell, MD**

16 Dr. Fennell may testify as to the liability and the damages of the case;

17 **19. Grace Juarez, MD**

18 Dr. Juarez may testify as to the liability and the damages of the case;

19 **20. Aylin Selek, MD of Cedar Sinai**

20 Dr. Selek may testify as to the liability and the damages of the case;

21 **21. Marc Makhani, MD of Cedar Sinai**

22 Dr. Makhani may testify as to the liability and the damages of the case;

23 **22. Daniel Hoh Kayun, MD of Cedar Sinai**

1 Dr. Kayun may testify as to the liability and the damages of the case;

2 **23. Katherine Haker, MD of Cedar Sinai**

3 Dr. Haker may testify as to the liability and the damages of the case;

4 **24. Deepti Dhall, MD of Cedar Sinai**

5 Dr. Dhall may testify as to the liability and the damages of the case;

6 **25. Alfonso Jackie, RN of Cedar Sinai**

7 Mr. Jackie may testify as to the liability and the damages of the case;

8 **26. Josue M. Reyes, RN of Cedar Sinai**

9 Ms. Reyes may testify as to the liability and the damages of the case;

10 **27. Lorisa Raya, RN of Cedar Sinai**

11 Ms. Raya may testify as to the liability and the damages of the case;

12 **28. Laura Olivas of Cedar Sinai**

13 Ms. Olivas may testify as to the liability and the damages of the case;

14 **29. Shawn Rudolph, EMT**

15 Mr. Rudolph may testify as to the liability and the damages of the case;

16 **30. Jose Paz, EMT**

17 Mr. Paz may testify as to the liability and the damages of the case;

18 **31. David Alessi**

19 Mr. Alessi may testify as to the liability and the damages of the case.

20 Relevant information regarding this case may also be learned from numerous
21 other PVA and SpaceX employees, PVA retained experts. Plaintiffs have not identified
22 all relevant witnesses regarding this lawsuit including any witnesses PVA may identify
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1 in their Rule 26 Disclosures and supplemental disclosures and reserves its right to
2 supplement this disclosure in accordance with Fed. R. Civ. P. Rule 26(e).

3 **FRCP 26(a)(1)(A)(ii) - A copy - or a description by category and location – of**
4 **all documents, electronically stored information, and tangible things that the**
5 **disclosing party has in its possession, custody, or control and may use to support**
6 **its claims or defenses, unless the use would be solely for impeachment.**

7
8 Pursuant to FRCP 26(a)(1)(A)(ii) Plaintiffs have previously identified the
9 following:

10 **Documents:**

- 11 a. Plaintiff Ruben Juarez's medical records and billing records
12 b. PVA 350 and PVA 650 specifications;
13 c. MSDS sheets;
14 d. Photos of Plaintiffs;
15 e. Plane tickets and trip protection of Plaintiff Isela Hernandez and their
16 daughter;
17 f. Emails of Plaintiff Ruben Juarez;
18 g. W2 of Plaintiff Ruben Juarez 2012-2014.

19
20
21 **Plaintiff has learned by reviewing documents during discovery that the**
22 **following additional documents may be relevant to Plaintiffs' claims, PVA's**
23 **products, and/or SpaceX.**

24 Documents produced in discovery by PVA bates stamp numbers PVA0001-
25 4481. Said production includes, among other documents, product-related documents,
26 sales-related documents, engineering and design documents, design and operation
27
28

1 manuals, operation and maintenance manuals, emails, and other written and electronic
2 communications.

3 Documents and recording produced in discovery by SpaceX on June 25, 2018
4 including documents with bates stamp numbers Juarez v. PVA 1000 – 2170
5

6 **Damages computation and supporting documents:**

7 a. Plaintiff Ruben Juarez claims past and future medical costs, past and
8 future wage loss, and pain and suffering. Plaintiff Isela Hernandez claims loss of
9 consortium. The supporting documents will be produced.

10 Plaintiffs retain the right to supplement the disclosure with information learned
11 through discovery.
12

13
14 DATED: July 10, 2018

BALABAN & SPIELBERGER, LLP

15
16 /s/ Kahren Harutyunyan

17 Daniel K. Balaban

18 Andrew J. Spielberger

19 Kahren Harutyunyan

20 Attorneys for Plaintiffs
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 11999 San Vicente Boulevard, Suite 345 Los Angeles, CA 90049.

On July 10, 2018, I served the foregoing documents described as: **PLAINTIFFS' SUPPLEMENTAL DISCLOSURES PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 26(A)(1) AND 26(E)1** on the interested parties in this action.

(See Attached Service List)

☐ By placing the true copies thereof enclosed in sealed envelopes addresses as stated on the attached mailing list.

☐ **BY MAIL**

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by electronic transmission, I hereby certify that a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Courts system.

☐ **BY OVERNIGHT DELIVERY:**

☒ **BY ELECTRONIC MAIL** to: see attached service list

☐ **BY PERSONAL SERVICE** - I caused to be delivered such envelope by hand per the service list attached.

☐ **BY FACSIMILE** - I faxed a copy of the above-described document to the interested parties as set forth on the attached mailing list.

Executed on July 10, 2018 at Los Angeles, California.

☒ **(Federal)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Kahren Harutyunyan
Name

/s/ Kahren Harutyunyan
Signature

SERVICE LIST

RUBEN JUAREZ , ET AL. v. PRECISION VALVE & AUTOMATION, ET AL.
CASE NO. 2:17-cv-03342

Shahrad Milanfar (SBN 201126)

smilanfar@bkscal.com

Alex P. Catalona (SBN 200901)

acatalona@bkscal.com

BECHERER KANNETT & SCHWEITZER

1255 Powell Street

Emeryville, CA 94608

Telephone: (510) 658-3600

Facsimile: (510) 658-1151

BALABAN & SPIELBERGER LLP
11999 SAN VICENTE BOULEVARD, SUITE 345
LOS ANGELES, CALIFORNIA 90049

EXHIBIT 10

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
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BECHERER KANNETT & SCHWEITZER
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Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S
INTERROGATORIES TO PLAINTIFF
RUBEN JUAREZ, SET NO. ONE**

PROPOUNDING PARTIES:

Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY:

Plaintiff RUBEN JUAREZ

SET NO:

ONE

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff RUBEN JUAREZ, answer the following Interrogatories, under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 33.

DEFINITIONS APPLICABLE TO ALL INTERROGATORIES

1. The term "COMPLAINT" refers to the Complaint filed on behalf of plaintiffs Ruben Juarez and Isela Hernandez in the Superior Court of California, County of Los Angeles, on February 28, 2017.

2. "DEFENDANT" means PRECISION VALVE & AUTOMATION, INC.

3. "EVIDENCE" includes any facts, witnesses (including contact information), statements, video, pictures, photos, recordings, documents, writings, depositions, transcripts, interviews, data, compilations, reports, productions and any other evidence of any kind whatsoever.

4. The words "INJURY" and "INJURIES" mean and refer to any physical, mental, psychological, psychiatric or emotional injuries of any kind.

5. The term “MEDICAL EXPENSES” refers to any costs, charges, expenses or fees for medical care, including but not limited to any medications, treatment and hospital expenses.

6. The terms “YOU” and “YOUR” mean and refer to plaintiff RUBEN JUAREZ and anyone acting on his behalf, including, but not limited to, attorneys, investigators, insurers, and any other agents.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR allegations against DEFENDANT in this case.

INTERROGATORY NO. 2:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR first cause of action (Negligence) in YOUR COMPLAINT.

INTERROGATORY NO. 3:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim that YOU were subjected to a “foreseeable risk of harm.”

INTERROGATORY NO. 4:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR second cause of action (Strict Product Liability) in YOUR COMPLAINT.

INTERROGATORY NO. 5:

List each alleged "design defect" of the PVA 350.

INTERROGATORY NO. 6:

List each warning which YOU contend should have been provided, but was not provided,

1 for the PVA 350.

2 **INTERROGATORY NO. 7:**

3 Explain in detail how the PVA 350 should have been designed in order to prevent YOUR
4 injuries as alleged in YOUR COMPLAINT.

5 **INTERROGATORY NO. 8:**

6 Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim
7 that Defendant's negligence "was a substantial factor in causing Plaintiffs' harm."

8 **INTERROGATORY NO. 9:**

9 Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim
10 that the PVA 350's failure to perform safely "was a substantial factor in causing Plaintiffs'
11 harm."

12 **INTERROGATORY NO. 10:**

13 DESCRIBE in detail all INJURIES which YOU allege were caused, or were in any way
14 contributed to, by the PVA 350, as alleged in YOUR COMPLAINT.

15 (As used in this interrogatory, "DESCRIBE" means to describe in as much detail as
16 possible including listing what the injury was, what body part(s) were affected, the date it was
17 incurred, how it progressed, its current status, and the date it fully healed, if it did.)

18 **INTERROGATORY NO. 11:**

19 Provide an ITEMIZED LISTING of all MEDICAL EXPENSES which YOU incurred
20 related to any INJURIES which YOU allege in the COMPLAINT.

21 (As used in this interrogatory, the term "ITEMIZED LISTING" means to list the name of
22 each hospital, doctor, pharmacy, or other health care provider together with the corresponding
23 amount of charges attributable to any costs, charges, expenses or fees for medical care, including
24 but not limited to any hospital expenses.)

25 **INTERROGATORY NO. 12:**

26 Provide an ITEMIZED LISTING of all (past and future) lost income (including but not
27 limited to wage loss) that YOU incurred related to any INJURIES YOU allege in the
28 COMPLAINT.

Becherer
Kannett &
Schweitzer

2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600

(As used in this interrogatory, the term "ITEMIZED LISTING" means to list each item of lost income and explain how it was calculated including but not limited to a listing of wage loss by year for each year that past and future wage loss is claimed.)

INTERROGATORY NO. 13:

DESCRIBE in detail everything YOU did to determine what caused Ruben Juarez's injuries which are alleged in the COMPLAINT.

(As used in this interrogatory, the term "DESCRIBE" means to list everything YOU did including but not limited to any investigation, research, internet research, questions, and communications, and exactly when, by date, that YOU did it.)

INTERROGATORY NO. 14:

Identify in detail all EVIDENCE which establishes or in any way relates to whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in Code of Civil Procedure section 335.1.

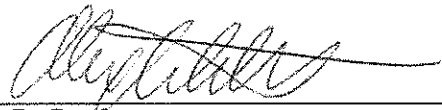
INTERROGATORY NO. 15:

Explain in detail the basis for YOUR workers' compensation claim made for INJURY or INJURIES during YOUR employment with Space Exploration Technologies Corporation, also known as SpaceX.

Dated: July 17, 2017

BECHERER KANNETT & SCHWEITZER

By:



Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

Becherer
Kannett &
Schweitzer

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Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
 Alex P. Catalona (SBN 200901)
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 BECHERER KANNETT & SCHWEITZER
 1255 Powell Street
 Emeryville, CA 94608
 Telephone: (510) 658-3600
 Facsimile: (510) 658-1151

Attorneys for Defendant
 PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On July 17, 2017, I caused to be served the foregoing:

**DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S
 INTERROGATORIES TO PLAINTIFF RUBEN JUAREZ, SET NO. ONE**

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
 LAW OFFICES OF TERESA LI, PC
 315 Montgomery Street, 9th Floor
 San Francisco, California 94104
 Telephone: (415) 423-3377
 Facsimile: (888) 646-5493
 Email: teresa@lawofficesofteresali.com

Becherer
 Kannett &
 Schweitzer

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

EXHIBIT 11

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
315 Montgomery Street, 9th Floor
4 San Francisco, California 94104
Telephone: 415.423.3377
Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ AND ISELA
HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10
11 RUBEN JUAREZ, an individual and
12 ISELA HERNANDEZ, an individual,

13 Plaintiff,

14 v.

15 PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20,

16 Defendants.
17

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF RUBEN JUAREZ'S RESPONSE
TO DEFENDANT'S REQUEST FOR
INTERROGATORIES, SET ONE (1)**

18 **PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE & AUTOMATION**

19 **RESPONDING PARTY: PLAINTIFF, RUBEN JUAREZ**

20 **SET NUMBER: ONE**

21 Pursuant to Federal Rules of Civil Procedure Rule 33, Plaintiff RUBEN JUAREZ hereby
22 responds to Defendant PRECISION VALVE & AUTOMATION, INC.'s request for
23 interrogatories, set one (1).
24

25 **RESPONSES TO INTERROGATORIES**

26 **INTERROGATORY NO. 1**

27 Identify in detail all EVIDENCE which supports or in any way relates to YOUR
28 allegations against DEFENDANT in this case.

1 **RESPONSE TO INTERROGATORY NO. 1:**

2 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
3 information that is protected by the attorney client privilege and the work product doctrine.

4 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff elects to produce
5 all non-privileged documents in support of the response: (1) Defendant PVA's product
6 specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material Safety
7 Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system.

8 Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure. Discovery is ongoing.

9 **INTERROGATORY NO. 2**

10 Identify in detail all EVIDENCE which supports or in any way relates to YOUR first
11 cause of action (Negligence) in YOUR COMPLAINT.

12 **RESPONSE TO INTERROGATORY NO. 2:**

13 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
14 information that is protected by the attorney client privilege and the work product doctrine.

15 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff elects to produce
16 all non-privileged documents in support of the response: (1) Defendant PVA's product
17 specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material Safety
18 Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system.

19 Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure. Discovery is ongoing.

20 **INTERROGATORY NO. 3**

21 Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim
22 that YOU were subjected to a "foreseeable risk of harm."

23 **RESPONSE TO INTERROGATORY NO. 3:**

24 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
25 information that is protected by the attorney client privilege and the work product doctrine.

26 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff elects to produce
27 all non-privileged documents in support of the response: (1) Defendant PVA's product
28 specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material Safety

1 Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system.

2 Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure. Discovery is ongoing.

3 **INTERROGATORY NO. 4**

4 Identify in detail all EVIDENCE which supports or in any way relates to YOUR second
5 cause of action (Strict Product Liability) in YOUR COMPLAINT.

6 **RESPONSE TO INTERROGATORY NO. 4:**

7 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
8 information that is protected by the attorney client privilege and the work product doctrine.
9 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff elects to produce
10 all non-privileged documents in support of the response: (1) Defendant PVA's product
11 specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material Safety
12 Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system.
13 Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure. Discovery is ongoing.

14 **INTERROGATORY NO. 5**

15 List each alleged "design defect" of the PVA 350.

16 **RESPONSE TO INTERROGATORY NO. 5:**

17 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
18 information that is protected by the attorney client privilege and the work product doctrine. It
19 also seeks premature disclosure of expert opinion. Without waiving the objections and subject
20 thereto, Plaintiff responds: PVA 350 lacks fail safe measures in the event that the ventilation
21 system is not in operation: for example, PVA 350 does not have an automatic shutoff function in
22 the event that the ventilation system is not in operation; PVA 350 does not have an alarm that
23 would warn operators or programmers that the ventilation system is not in operation; PVA 350
24 does not have any written warning on the machine itself to warn that it would continue spray
25 toxic chemicals even when the ventilation is not in operation; and there may be other measures
26 that can be utilize to perform the fail safe measures. Discovery is ongoing.

27 ///

28 **INTERROGATORY NO. 6**

1 List each warning which YOU contend should have been provided, but was not provided,
2 for the PVA 350.

3 **RESPONSE TO INTERROGATORY NO. 6:**

4 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
5 information that is protected by the attorney client privilege and the work product doctrine. It
6 also seeks premature disclosure of expert opinion. Without waiving the objections and subject
7 thereto, Plaintiff responds: PVA 350 lacks fail safe measures in the event that the ventilation
8 system is not in operation: for example, PVA 350 does not have an automatic shutoff function in
9 the event that the ventilation system is not in operation; PVA 350 does not have an alarm that
10 would warn operators or programmers that the ventilation system is not in operation; PVA 350
11 does not have any written warning on the machine itself to warn that it would continue spray
12 toxic chemicals even when the ventilation is not in operation; and there may be other measures
13 that can be utilize to perform the fail safe measures. Discovery is ongoing.

14 **INTERROGATORY NO. 7**

15 Explain in detail how the PVA 350 should have been designed in order to prevent YOUR
16 injuries as alleged in YOUR COMPLAINT.

17 **RESPONSE TO INTERROGATORY NO. 7:**

18 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
19 information that is protected by the attorney client privilege and the work product doctrine. It
20 also seeks premature disclosure of expert opinion. Without waiving the objections and subject
21 thereto, Plaintiff responds: PVA 350 lacks fail safe measures in the event that the ventilation
22 system is not in operation: for example, PVA 350 does not have an automatic shutoff function in
23 the event that the ventilation system is not in operation; PVA 350 does not have an alarm that
24 would warn operators or programmers that the ventilation system is not in operation; PVA 350
25 does not have any written warning on the machine itself to warn that it would continue spray
26 toxic chemicals even when the ventilation is not in operation; and there may be other measures
27 that can be utilize to perform the fail safe measures. Plaintiff is not an expert in the area and
28 discovery is ongoing.

INTERROGATORY NO. 8

Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim that Defendant's negligence "was a substantial factor in causing Plaintiffs' harm."

RESPONSE TO INTERROGATORY NO. 8:

The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks information that is protected by the attorney client privilege and the work product doctrine. Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff elects to produce all non-privileged documents in support of the response: (1) Defendant PVA's product specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material Safety Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system. Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure. Discovery is ongoing.

INTERROGATORY NO. 9

Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim that the PVA 350's failure to perform safely "was a substantial factor in causing Plaintiffs' harm."

RESPONSE TO INTERROGATORY NO. 9:

The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks information that is protected by the attorney client privilege and the work product doctrine. Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff elects to produce all non-privileged documents in support of the response: (1) Defendant PVA's product specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material Safety Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system. Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure. Discovery is ongoing.

INTERROGATORY NO. 10

DESCRIBE in detail all INJURIES which YOU allege were caused, or were in any way contributed to, by the PVA 350, as alleged in YOUR COMPLAINT.

RESPONSE TO INTERROGATORY NO. 10:

The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks information that is protected by the attorney client privilege and the work product doctrine.

Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff's neurological defects and psychological issues that Plaintiff did not have before Plaintiff used PVA's benchtop dispensing system. This includes but not limited to severe migraine, headache, nausea, dizziness, lightheadedness, slushiness in the brain, out of body experience, day dreaming, muscular weakness, blurred vision, feeling faint, respiratory issues, presyncope, depression, anxiety, respiratory issues, memory loss, out of balance and other symptoms. Plaintiff elects to produce the medical records for details. Witnesses: all witnesses disclosed in Plaintiffs' Initial Disclosure.

INTERROGATORY NO. 11

Provide an ITEMIZED LISTING of all MEDICAL EXPENSES which YOU incurred related to any INJURIES which YOU allege in the COMPLAINT.

RESPONSE TO INTERROGATORY NO. 11:

Plaintiff elects to produce the billing records for details that he has in his possession. Discovery is ongoing.

INTERROGATORY NO. 12

Provide an ITEMIZED LISTING of all (past and future) lost income (including but not limited to wage loss) that YOU incurred related to any INJURIES YOU allege in the COMPLAINT.

RESPONSE TO INTERROGATORY NO. 12:

The interrogatory seeks information that is protected by the attorney-client privilege and work product doctrine. It also seeks premature disclosure of expert opinion. Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff is not required to generate a document that is not in existence. However, Plaintiff has produced all documents relating to wage loss.

INTERROGATORY NO. 13

DESCRIBE in detail everything YOU did to determine what caused Ruben Juarez's injuries, which are alleged in the COMPLAINT.

RESPONSE TO INTERROGATORY NO. 13:

The interrogatory seeks information that is protected by the attorney-client privilege and work product doctrine. Without waiving the objections and subject thereto, Plaintiff responds:

1 Plaintiff has been going to see his doctors. But only until Plaintiff received the MSDS sheet of
2 the chemicals did Plaintiff suspect his injuries may have been caused by PVA's
3 design/manufacturing defects.

4 **INTERROGATORY NO. 14**

5 Identify in detail all EVIDENCE which establishes or in any way relates to whether
6 plaintiffs' lawsuit is barred by the two-year statute of limitations found in Code of Civil Procedure
7 section 335.1.

8 **RESPONSE TO INTERROGATORY NO. 14:**

9 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
10 information that is protected by the attorney-client privilege and work product doctrine. Without
11 waiving the objections and subject thereto, Plaintiff responds: Plaintiff's medical records, the
12 MSDS of the pertinent chemicals, and the email from Plaintiff to his HR, asking for a disclosure
13 of the MSDS.

14 **INTERROGATORY NO. 15:**

15 Explain in detail the basis for YOUR workers' compensation claim made for INJURY or
16 INJURIES during YOUR employment with Space Exploration Technologies Corporation, also
17 known as SpaceX.

18 **RESPONSE TO INTERROGATORY NO. 15:**

19 The interrogatory seeks information that is protected by the attorney-client privilege and
20 work product doctrine. It is also not relevant to the litigation. Without waiving the objections
21 and subject thereto, Plaintiff responds: Plaintiff filed a workers' compensation case because
22 Plaintiff was injured while working at SpaceX. Plaintiff did not know what caused his injuries;

23 ///

24 ///

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26 ///

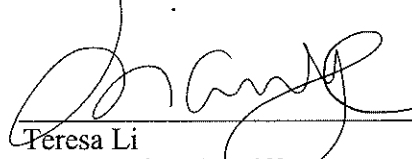
27 ///

28 ///

1 only that Plaintiff was injured on the job.

2 Dated: September 5, 2017

LAW OFFICES OF TERESA LI, P.C.

3
4 
5 Teresa Li
6 Attorney for Plaintiffs
7 RUBEN JUAREZ AND ISELA
8 HERNANDEZ
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VERIFICATION

I, Ruben Juarez declare that:

I am a plaintiff in this action. I have read the foregoing Plaintiff Ruben Juarez's Response to Defendant's Request for Interrogatories, Set One (1) and know the contents thereof.

The information supplied therein is based on my own personal knowledge and/or has been supplied by my attorneys or other agents and is therefore provided as required by law. The information contained in the foregoing document is true, except as to the matters which were provided by my attorneys or other agents and, as to those matters, I am informed and believe that they are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed on September 8, 2017 at Granada Hills, California.



RUBEN JUAREZ

PROOF OF SERVICE

State of California, County of San Francisco

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 315 Montgomery Street, 9th Floor, San Francisco, CA 94104.

On the date listed below, I served the following documents: in the manner and/or manners described below to each of the parties herein and addressed as stated below:

- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**

Shahrad Milanfar
smilanfar@bkscal.com
Alex P. Catalona
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608

____ United States Postal Service, U.S. Mail, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, CA. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

____ Facsimile Transmission

____ Hand delivery by Courier: same day delivery

 X Other: E-Mail. pdf attachment

1
2 I certify and declare under penalty of perjury under the laws of the State of California that
3 the foregoing is true and correct.

4 Executed on September 8, 2017, at San Francisco, California. .

5 Teresa Li
6 Type or Print Name

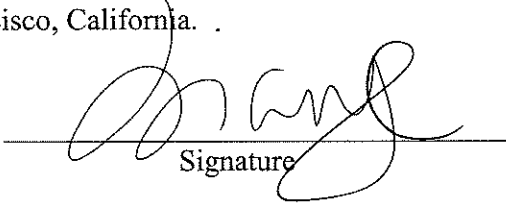
7 
8 Signature

EXHIBIT 12

1 Shahrad Milanfar (SBN 201126)
smilanfar@bksca.com
2 Alex P. Catalona (SBN 200901)
acatalona@bksca.com
3 BECHERER KANNETT & SCHWEITZER
1255 Powell Street
4 Emeryville, CA 94608
Telephone: (510) 658-3600
5 Facsimile: (510) 658-1151

6 Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

11 Plaintiffs,

12 vs.

13 PRECISION VALVE & AUTOMATION, Inc., a
14 corporation and DOES 1-20,

15 Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S
INTERROGATORIES TO PLAINTIFF
ISELA HERNANDEZ, SET NO. ONE**

16 PROPOUNDING PARTIES:

Defendant PRECISION VALVE &
AUTOMATION, INC.

17 RESPONDING PARTY:

Plaintiff ISELA HERNANDEZ

18 SET NO:

ONE

20 Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding
21 party, plaintiff ISELA HERNANDEZ, answer the following Interrogatories, under oath, within
22 thirty (30) days, pursuant to Federal Rule of Civil Procedure 33.

23 **DEFINITIONS APPLICABLE TO ALL INTERROGATORIES**

24 1. The term "COMPLAINT" refers to the Complaint filed on behalf of plaintiffs
25 Ruben Juarez and Isela Hernandez in the Superior Court of California, County of Los Angeles, on
26 February 28, 2017.

27 2. "DEFENDANT" means PRECISION VALVE & AUTOMATION, INC.
28

3. "EVIDENCE" means any facts, witnesses (including contact information), statements, video, pictures, photos, recordings, documents, writings, depositions, transcripts, interviews, data, compilations, reports, productions and any other evidence of any kind whatsoever.

4. "INJURIES" means any injuries and/or damages including but not limited to the loss of love, care companionship, comfort, assistance, protection, society and moral support from Ruben Juarez.

5. The terms "YOU" and "YOUR" mean and refer to plaintiff ISELA HERNANDEZ and anyone acting on his behalf, including, but not limited to, attorneys, investigators, insurers, and any other agents.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR allegations against DEFENDANT in this case.

INTERROGATORY NO. 2:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR cause of action for Loss of Consortium (Third Cause of Action) in the COMPLAINT.

INTERROGATORY NO. 3:

Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim that Defendant's wrongful conduct, acts and/or omissions "were a substantial factor in causing Plaintiff ISELA HERNANDEZ to sustain loss of love, care companionship, comfort, assistance, protection, society, moral support from Plaintiff RUBEN JUAREZ" as alleged in the COMPLAINT.

INTERROGATORY NO. 4:

DESCRIBE in detail all INJURIES which YOU allege were caused, or were in any way contributed to, by Defendant's wrongful conduct, acts and/or omissions, as alleged in YOUR COMPLAINT.

(As used in this interrogatory, "DESCRIBE" means to describe in as much detail as

possible including but limited to listing what the injury was, what body part(s) were affected, if any, the date(s) the injury took place, how it progressed, its current status, and the date it ended, if any.)

INTERROGATORY NO. 5:

DESCRIBE in detail everything YOU did to determine what caused Isela Hernandez's injuries which are alleged in the COMPLAINT.

(As used in this interrogatory, the term "DESCRIBE" means to list everything YOU did including but not limited to any investigation, research, internet research, questions, and communications, and exactly when, by date, it was done.)

INTERROGATORY NO. 6:

Identify in detail all EVIDENCE which establishes or in any way relates to whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in Code of Civil Procedure section 335.1.

Dated: July 17, 2017

BECHERER KANNETT & SCHWEITZER

By: 

Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

Becherer
Kannett &
Schweitzer

2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
 Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
 BECHERER KANNETT & SCHWEITZER
 1255 Powell Street
 Emeryville, CA 94608
 Telephone: (510) 658-3600
 Facsimile: (510) 658-1151

Attorneys for Defendant
 PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On July 17, 2017, I caused to be served the foregoing:

**DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S
 INTERROGATORIES TO PLAINTIFF ISELA HERNANDEZ, SET NO. ONE**

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
 LAW OFFICES OF TERESA LI, PC
 315 Montgomery Street, 9th Floor
 San Francisco, California 94104
 Telephone: (415) 423-3377
 Facsimile: (888) 646-5493
 Email: teresa@lawofficesofteresali.com


Becherer
 Kannett &
 Schweitzer

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

1 ☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
2 in the United States Mail at Emeryville, California. I am familiar with the mail
3 collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those
4 practices the envelope would be deposited with the United States Postal Service the
5 same day.

6 ☒ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile
7 number(s) of the addressee(s) designated.

8 Executed on July 17, 2017.

9 
10 Jerry M. Dumlao
11
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22
23

24 Becherer
25 Kannett &
26 Schweitzer

27 1255
28 Powell St.
Emeryville, CA
94608
510-658-3600

EXHIBIT 13

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
315 Montgomery Street, 9th Floor
4 San Francisco, California 94104
Telephone: 415.423.3377
Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ AND ISELA
HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 RUBEN JUAREZ, an individual and
12 ISELA HERNANDEZ, an individual,

13 Plaintiff,

14 v.

15 PRECISION VALVE & AUTOMATION,
16 Inc., a corporation and DOES 1-20,

17 Defendants.

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF ISELA HERNANDEZ'S
RESPONSE TO DEFENDANT'S REQUEST
FOR INTERROGATORIES, SET ONE (1)**

18 **PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE & AUTOMATION**

19 **RESPONDING PARTY: PLAINTIFF, ISELA HERNANDEZ**

20 **SET NUMBER: ONE**

21 Pursuant to Federal Rules of Civil Procedure Rule 33, Plaintiff ISELA HERNANDEZ
22 hereby responds to Defendant PRECISION VALVE & AUTOMATION, INC.'s request for
23 interrogatories, set one (1).

24 **RESPONSES TO INTERROGATORIES**

25 **INTERROGATORY NO. 1:**

26 Identify in detail all EVIDENCE which supports or in any way relates to YOUR
27 allegations against DEFENDANT in this case.
28

1 **RESPONSE TO INTERROGATORY NO. 1:**

2 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
3 information that is protected by the attorney client privilege and the work product doctrine.

4 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff Isela Hernandez's
5 loss of consortium claim is derivative of Plaintiff Ruben Juarez's personal injury claim. Plaintiff
6 elects to produce all non-privileged documents in support of the response: (1) Defendant PVA's
7 product specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material
8 Safety Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system; (4)
9 photos of Plaintiffs and their children; (5) travel itineraries showing that Plaintiff Ruben Juarez
10 could not come with his family trips due to his illness. Witnesses: everyone disclosed in
11 Plaintiffs' initial disclosure. Discovery is ongoing.
12
13

14 **INTERROGATORY NO. 2:**

15 Identify in detail all EVIDENCE which supports or in any way relates to YOUR cause of
16 action for Loss of Consortium (Third Cause of Action) in the COMPLAINT.

17 **RESPONSE TO INTERROGATORY NO. 2:**

18 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
19 information that is protected by the attorney client privilege and the work product doctrine.

20 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff Isela Hernandez's
21 loss of consortium claim is derivative of Plaintiff Ruben Juarez's personal injury claim. Plaintiff
22 elects to produce all non-privileged documents in support of the response: (1) Defendant PVA's
23 product specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material
24 Safety Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system; (4)
25 photos of Plaintiffs and their children; (5) travel itineraries showing that Plaintiff Ruben Juarez
26 could not come with his family trips due to his illness. Witnesses: everyone disclosed in
27
28

1 Plaintiffs' initial disclosure. Discovery is ongoing.

2 **INTERROGATORY NO. 3:**

3 Identify in detail all EVIDENCE which supports or in any way relates to YOUR claim
4 that Defendant's wrongful conduct, acts and/or omissions "were a substantial factor in causing
5 Plaintiff ISELA BERNANDEZ to sustain loss of love, care companionship, comfort, assistance,
6 protection, society, moral support from Plaintiff RUBEN JUAREZ" as alleged in the Complaint.

7 **RESPONSE TO INTERROGATORY NO. 3:**

8 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
9 information that is protected by the attorney client privilege and the work product doctrine.
10 Without waiving the objections and subject thereto, Plaintiff responds: Plaintiff Isela Hernandez's
11 loss of consortium claim is derivative of Plaintiff Ruben Juarez's personal injury claim. Plaintiff
12 elects to produce all non-privileged documents in support of the response: (1) Defendant PVA's
13 product specifications (2) Plaintiff Ruben Juarez's medical and billing records; (3) the Material
14 Safety Data Sheets of various chemicals being sprayed by PVA's benchtop dispensing system; (4)
15 photos of Plaintiffs and their children; (5) travel itineraries showing that Plaintiff Ruben Juarez
16 could not come with his family trips due to his illness. Witnesses: everyone disclosed in
17 Plaintiffs' initial disclosure. Discovery is ongoing.

18 **INTERROGATORY NO. 4:**

19 DESCRIBE in detail all INJURIES which YOU allege were caused, or were in any way
20 contributed to, by Defendant's wrongful conduct, acts and/or omissions, as alleged in YOUR
21 COMPLAINT.

22 **RESPONSE TO INTERROGATORY NO. 4:**

23 Plaintiff Isela Hernandez's loss of consortium claim is derivative of Plaintiff Ruben
24 Juarez's personal injury claim. As a result of Defendant Precision Valve & Automation ("PVA")

1 design/manufacturing defects in PVA 350, Plaintiff Ruben Juarez, a previously healthy man, who
2 rarely went to see doctors, suffers from neurological deficits and psychological depression from
3 the chronic exposure to the chemicals sprayed by the PVA 350. Plaintiff Isela Hernandez lost
4 love, care companionship, comfort, assistance, protection, society, moral support from Plaintiff
5 RUBEN JUAREZ due to his illness.

6
7 **INTERROGATORY NO. 5:**

8 DESCRIBE in detail everything YOU did to determine what caused Isela Hernandez's
9 injuries which are alleged in the COMPLAINT.

10 **RESPONSE TO INTERROGATORY NO. 5:**

11 The interrogatory is vague and ambiguous and unintelligible. Without waiving the
12 objection and subject thereto, plaintiff responds: Plaintiff Isela Hernandez's claim is derivative of
13 her husband Ruben Juarez's personal injury claim.

14
15 **INTERROGATORY NO. 6:**

16 Identify in detail all EVIDENCE which establishes or in any way relates to whether
17 plaintiffs' lawsuit is barred by the two-year statute of limitations found in Code of Civil Procedure
18 section 335.1.

19 **RESPONSE TO INTERROGATORY NO. 6:**

20 The interrogatory is overly broad, unduly burdensome, and oppressive. It also seeks
21 information that is protected by the attorney-client privilege and work product doctrine. Without
22 waiving the objections and subject thereto, Plaintiff responds: Mr. Juarez's medical records, the
23 MSDS of the pertinent chemicals, and the email from Mr. Juarez to his HR, asking for a
24

25 . ///

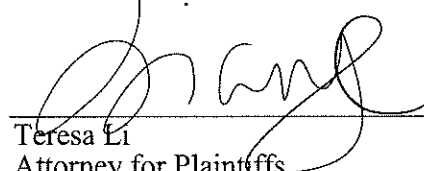
26 ///

27 ///

disclosure of the MSDS. Witnesses: everyone disclosed in Plaintiffs' initial disclosure.

Dated: September 6, 2017

LAW OFFICES OF TERESA LI, P.C.



Teresa Li
Attorney for Plaintiffs
RUBEN JUAREZ AND ISELA
HERNANDEZ

VERIFICATION

I, Isela Hernandez declare that:

I am a plaintiff in this action. I have read the foregoing Plaintiff Isela Hernandez's Response to Defendant's Request for Interrogatories, Set One (1) and know the contents thereof.

The information supplied therein is based on my own personal knowledge and/or has been supplied by my attorneys or other agents and is therefore provided as required by law. The information contained in the foregoing document is true, except as to the matters which were provided by my attorneys or other agents and, as to those matters, I am informed and believe that they are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed on September 08, 2017 at Granada Hills, California.



ISELA HERNANDEZ

PROOF OF SERVICE

State of California, County of San Francisco

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 315 Montgomery Street, 9th Floor, San Francisco, CA 94104.

On the date listed below, I served the following documents: in the manner and/or manners described below to each of the parties herein and addressed as stated below:

- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**

Shahrad Milanfar
smilanfar@bkscal.com
Alex P. Catalona
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608

____ United States Postal Service, U.S. Mail, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, CA. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

____ Facsimile Transmission

____ Hand delivery by Courier: same day delivery

 X Other: E-Mail. pdf attachment

1
2 I certify and declare under penalty of perjury under the laws of the State of California that
3 the foregoing is true and correct.

4 Executed on September 8, 2017, at San Francisco, California. .

5 Teresa Li
6 Type or Print Name

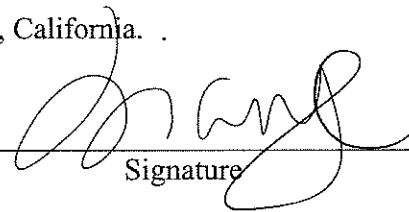
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Signature

EXHIBIT 14

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com

Alex P. Catalona (SBN 200901)
acatalona@bkscal.com

BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S
INTERROGATORIES TO PLAINTIFF
RUBEN JUAREZ, SET NO. TWO**

PROPOUNDING PARTIES:

Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY:

Plaintiff RUBEN JUAREZ

SET NO:

TWO

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff RUBEN JUAREZ, answer the following Interrogatories, under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 33.

DEFINITION APPLICABLE TO ALL INTERROGATORIES

1. "EVIDENCE" includes any facts, witnesses (including contact information), statements, video, pictures, photos, recordings, documents, writings, depositions, transcripts, interviews, data, compilations, reports, productions and any other evidence of any kind whatsoever.

INTERROGATORIES

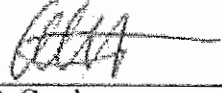
INTERROGATORY NO. 16:

Identify in detail all EVIDENCE which establishes or in any way relates to whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in California Code of Civil Procedure section 340.8.

Dated: April 3, 2018

BECHERER KANNETT & SCHWEITZER

By: _____


Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

Becherer
Kannett &
Schweitzer

2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600

Shahrad Milanfar (SBN 201126)
smilanfar@bksca.com
 Alex P. Catalona (SBN 200901)
acatalona@bksca.com
 BECHERER KANNETT & SCHWEITZER
 1255 Powell Street
 Emeryville, CA 94608
 Telephone: (510) 658-3600
 Facsimile: (510) 658-1151

Attorneys for Defendant
 PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,		
Plaintiffs,		[Los Angeles County Superior Court Case No. BC650229]
v.		
PRECISION VALVE & AUTOMATION, INC., a corporation and DOES 1-20,		
Defendants.	)	CERTIFICATE OF SERVICE

I, Jerry M. Dumlaio, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On **April 3, 2018**, I caused to be served the foregoing:

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S
 INTERROGATORIES TO PLAINTIFF RUBEN JUAREZ, SET NO. TWO

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
 LAW OFFICES OF TERESA LI, PC
 6701 Koll Center Parkway, Suite 250
 Pleasanton, CA 94566
 Telephone: (415) 423-3377
 Facsimile: (888) 646-5493
 Email: teresa@lawofficesofteresali.com

Becherer
 Kannett &
 Schweitzer

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

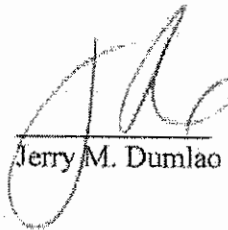
1 ☐ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
2 in the United States Mail at Emeryville, California. I am familiar with the mail
3 collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those
4 practices the envelope would be deposited with the United States Postal Service the
5 same day.

6 ☒ (By Personal Delivery) I caused such envelope to be delivered by hand to the office
7 of the addressee(s).

8 ☐ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile
9 number(s) of the addressee(s) designated.

10 ☐ (**Electronic Filing**) I am familiar with the United States District Court, Eastern
11 District of California's practice for collecting and processing electronic filings. Under
12 that practice, documents are electronically filed with the court. The CM/ECF system
13 will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge,
14 and any registered users in the case. The NEF will constitute service of the document.

15 Executed on March 2, 2018.

16 
17 Jerry M. Dumlao

18
19
20
21
22
23
24 Becherer
Kannett &
Schweitzer

25
26 1255
Powell St.
Emeryville, CA
94606
510-658-3600
27
28

EXHIBIT 15

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
4 315 Montgomery Street, 9th Floor
5 San Francisco, California 94104
6 Telephone: 415.423.3377
7 Facsimile: 888.646.5493

8 Attorneys for Plaintiffs
9 RUBEN JUAREZ AND ISELA
10 HERNANDEZ

11 Daniel K. Balaban
12 Daniel@dbaslaw.com
13 BALABAN & SPIELBERGER, LLP
14 11999 San Vincente Boulevard
15 Suite 345
16 Los Angeles, CA 90049
17 Telephone: 424.832.7677
18 Facsimile: 424.832.7702

19 Attorneys for Plaintiffs
20 RUBEN JUAREZ and ISELA HERNANDEZ

21 UNITED STATES DISTRICT COURT
22 CENTRAL DISTRICT OF CALIFORNIA

23 RUBEN JUAREZ, an individual and
24 ISELA HERNANDEZ, an
25 individual,

26 Plaintiff,

27 v.

28 PRECISION VALVE &
AUTOMATION, Inc., a corporation
and DOES 1-20,

Defendants.

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF RUBEN JUAREZ'S
RESPONSE TO DEFENDANT'S
REQUEST FOR
INTERROGATORIES, SET TWO (2)**

**PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE &
AUTOMATION**

RESPONDING PARTY: PLAINTIFF, RUBEN JUAREZ

1 **SET NUMBER: TWO**

2 Pursuant to Federal Rules of Civil Procedure Rule 33, Plaintiff RUBEN
3 JUAREZ hereby responds to Defendant PRECISION VALVE & AUTOMATION,
4 INC.'s request for interrogatories, set two (2).

5 **RESPONSES TO INTERROGATORIES**

6 **INTERROGATORY NO. 16**

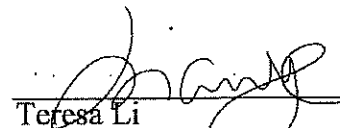
7 Identify I detail all EVIDENCE which establishes or in any way relates to
8 whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in
9 California Code of Civil Procedures section 340.8.

10 **RESPONSE TO INTERROGATORY NO. 16:**

11 The interrogatory may seek information that is protected by attorney client
12 privilege or work product doctrine. Without waiving the objections and subject
13 thereto, plaintiff responds: all the deposition transcripts of Plaintiff Ruben Juarez,
14 all of the medical records of plaintiff Ruben Juarez produced in discovery or
15 obtained via subpoenas; all the exhibits attached to Plaintiff Ruben Juarez's
16 deposition; all the documents produced by PVA so far; and all the documents
17 produced by PVA so far

18 Dated: May 8, 2018

LAW OFFICES OF TERESA LI, P.C.

19
20
21 
22 Teresa Li
23 Attorney for Plaintiffs
24 RUBEN JUAREZ AND ISELA
25 HERNANDEZ
26
27
28

1 **PROOF OF SERVICE**

2 RE: *Juarez v. PVA*

3 I am employed in the County of Alameda, State of California. I am over the age of 18
4 years and not a party to the within action. My business address is 6701 Koll Center Parkway,
5 Suite 250, Pleasanton, CA 94566.

6 On May 8, 2018, I served a copy of the following document: **PLAINTIFF RUBEN**
7 **JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES,**
8 **SET TWO (2); PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S**
9 **REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY**
10 **STORED INFORMATION (ESI), SET THREE (3); PLAINTIFF ISELA HERNANDEZ'S**
11 **RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET TWO (2);**
12 **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR**
13 **PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED**
14 **INFORMATION (ESI), SET TWO (2)** on the below listed parties in this action as follows:

15 Alex P. Catalona
16 BECHERER KANNETT & SCHWEITZER
17 1255 Powell Street
Emeryville, CA 94608


18 X **BY MAIL:** I placed such envelope on the above date with postage fully prepaid,
19 for deposit in the U.S Postal Service at my place of business in Pleasanton,
20 California, following the ordinary business practices of my place of business. I
21 am readily familiar with the business practice at my place of business for
collection and processing of correspondence for mail with the U.S. Postal Service.
Under the practice, such correspondence is deposited with the U.S. Postal Service
the same day it is collected and processed in the ordinary course of business.

22 **BY FAX:** I caused such document to be transmitted by facsimile transmission to
23 a facsimile machine maintained by the person on whom it is served at the
24 facsimile number as last given by that person on any document which he or she
has filed in the case. I caused such by sending a true copy from Teresa Li's
facsimile number, and that transmission reported as complete and without error to
the following facsimile number: _____.

25 **BY PERSONAL SERVICE:** I caused such document to be delivered by hand to
26 the above listed party.

27 I declare under penalty of perjury under the laws of the State of California that the
28 foregoing is true and correct and that this document was executed at Pleasanton, California on

1 May 8, 2018.

2 
Teresa Li

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RECEIVED
MAY 14 2018
BY BKS

EXHIBIT 16

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S INTERROGATORIES
TO PLAINTIFF ISELA HERNANDEZ, SET
NO. TWO**

PROPOUNDING PARTIES:

Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY:

Plaintiff ISELA HERNANDEZ

SET NO:

TWO

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff ISELA HERNANDEZ, answer the following Interrogatories, under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 33.

DEFINITION APPLICABLE TO ALL INTERROGATORIES

1. "EVIDENCE" means any facts, witnesses (including contact information), statements, video, pictures, photos, recordings, documents, writings, depositions, transcripts, interviews, data, compilations, reports, productions and any other evidence of any kind whatsoever.

INTERROGATORY

INTERROGATORY NO. 7:

Identify in detail all EVIDENCE which establishes or in any way relates to whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in Code of Civil Procedure section 340.8.

Dated: April 3, 2018

BECHERER KANNETT & SCHWEITZER

By: 

Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

Becherer
Kannett &
Schweitzer

2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600

Shahrad Milanfar (SBN 201126)
smilanfar@bksca.com
Alex P. Catalona (SBN 200901)
acatalona@bksca.com
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1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,)	
	)	[Los Angeles County Superior Court
Plaintiffs,	)	Case No. BC650229]
)	
v.	)	CERTIFICATE OF SERVICE
)	
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlaio, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On **April 3, 2018**, I caused to be served the foregoing:

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S
INTERROGATORIES TO PLAINTIFF ISELA HERNANDEZ, SET NO. TWO

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
6701 Koll Center Parkway, Suite 250
Pleasanton, CA 94566
Telephone: (415) 423-3377
Facsimile: (888) 646-5493
Email: teresa@lawofficesofteresali.com

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 ☐ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed
2 in the United States Mail at Emeryville, California. I am familiar with the mail
3 collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those
4 practices the envelope would be deposited with the United States Postal Service the
5 same day.

6 ☒ (By Personal Delivery) I caused such envelope to be delivered by hand to the office
7 of the addressee(s).

8 ☐ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile
9 number(s) of the addressee(s) designated.

10 ☐ (**Electronic Filing**) I am familiar with the United States District Court, Eastern
11 District of California's practice for collecting and processing electronic filings. Under
12 that practice, documents are electronically filed with the court. The CM/ECF system
13 will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge,
14 and any registered users in the case. The NEF will constitute service of the document.

15 Executed on March 2, 2018.

16 
17 Jerry M. Dumlao
18
19
20
21
22
23

24 Becherer
25 Kannett &
26 Schweitzer

27 1255
28 Powell St
Emeryville, CA
94608
510-658-3600

EXHIBIT 17

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
4 315 Montgomery Street, 9th Floor
5 San Francisco, California 94104
6 Telephone: 415.423.3377
7 Facsimile: 888.646.5493

8 Attorneys for Plaintiffs
9 RUBEN JUAREZ AND ISELA
10 HERNANDEZ

11 Daniel K. Balaban
12 Daniel@dbaslaw.com
13 BALABAN & SPIELBERGER, LLP
14 11999 San Vincente Boulevard
15 Suite 345
16 Los Angeles, CA 90049
17 Telephone: 424.832.7677
18 Facsimile: 424.832.7702

19 Attorneys for Plaintiffs
20 RUBEN JUAREZ and ISELA
21 HERNANDEZ

22 UNITED STATES DISTRICT COURT
23 CENTRAL DISTRICT OF CALIFORNIA

24 RUBEN JUAREZ, an individual and
25 ISELA HERNANDEZ, an
26 individual,

27 Plaintiff,

28 v.

PRECISION VALVE &
AUTOMATION, Inc., a corporation
and DOES 1-20,

Defendants.

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF ISELA HERNANDEZ'S
RESPONSE TO DEFENDANT'S
REQUEST FOR
INTERROGATORIES, SET TWO (2)**

**PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE &
AUTOMATION**

RESPONDING PARTY: PLAINTIFF, ISELA HERNANDEZ

1 **SET NUMBER: TWO**

2 Pursuant to Federal Rules of Civil Procedure Rule 33, Plaintiff ISELA
3 HERNANDEZ hereby responds to Defendant PRECISION VALVE &
4 AUTOMATION, INC.'s request for interrogatories, set two (2).

5 **RESPONSES TO INTERROGATORIES**

6 **INTERROGATORY NO. 7:**

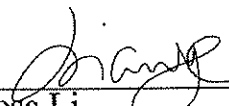
7 Identify in detail all EVIDENCE which establishes or in any way relates to
8 whether plaintiffs' lawsuit is barred by the two-year statute of limitations found in
9 Code of Civil Procedure Section 340.8.

10 **RESPONSE TO INTERROGATORY NO. 1:**

11 The interrogatory may seek information that is protected by attorney client
12 privilege or work product doctrine. Without waiving the objections and subject
13 thereto, plaintiff responds: all the deposition transcripts of Plaintiff Ruben Juarez,
14 all of the medical records of plaintiff Ruben Juarez produced in discovery or
15 obtained via subpoenas; all the exhibits attached to Plaintiff Ruben Juarez's
16 deposition; all the documents produced by PVA so far; and all the documents
17 produced by PVA so far.

18
19
20 Dated: May 8, 2018

LAW OFFICES OF TERESA LI, P.C.

21
22 
23 _____
24 Teresa Li
25 Attorney for Plaintiffs
26 RUBEN JUAREZ AND ISELA
27 HERNANDEZ
28

PROOF OF SERVICE

RE: *Juarez v. PVA*

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 6701 Koll Center Parkway, Suite 250, Pleasanton, CA 94566.

On May 8, 2018, I served a copy of the following document: **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET TWO (2); PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET THREE (3); PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET TWO (2); PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET TWO (2)** on the below listed parties in this action as follows:

Alex P. Catalona
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608

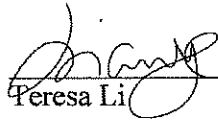
 X **BY MAIL:** I placed such envelope on the above date with postage fully prepaid, for deposit in the U.S Postal Service at my place of business in Pleasanton, California, following the ordinary business practices of my place of business. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mail with the U.S. Postal Service. Under the practice, such correspondence is deposited with the U.S. Postal Service the same day it is collected and processed in the ordinary course of business.

 BY FAX: I caused such document to be transmitted by facsimile transmission to a facsimile machine maintained by the person on whom it is served at the facsimile number as last given by that person on any document which he or she has filed in the case. I caused such by sending a true copy from Teresa Li's facsimile number, and that transmission reported as complete and without error to the following facsimile number: .

 BY PERSONAL SERVICE: I caused such document to be delivered by hand to the above listed party.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed at Pleasanton, California on

May 8, 2018.


Teresa Li

RECEIVED
MAY 14 2018
BY BKS

EXHIBIT 18

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND ELECTRONICALLY STORED
INFORMATION (ESI) TO PLAINTIFF
RUBEN JUAREZ, SET NO. ONE**

PROPOUNDING PARTIES:

Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY:

Plaintiff RUBEN JUAREZ

SET NO:

ONE

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff RUBEN HERNANDEZ, respond to the following requests for production of documents and electronically stored information (ESI) (hereinafter "Requests For Production"), under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 34.

DEFINITIONS APPLICABLE TO ALL REQUESTS FOR PRODUCTION

1. The term "COMPLAINT" refers to the Complaint filed on behalf of plaintiffs Ruben Juarez and Isela Hernandez in the Superior Court of California, County of Los Angeles, on February 28, 2017.

-1-

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUESTS FOR PRODUCTION OF
DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF RUBEN JUAREZ,
SET NO. ONE

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

2. "DEFENDANT" means PRECISION VALVE & AUTOMATION, INC.

3. The terms "DOCUMENT" and "DOCUMENTS" mean any "writing", "recording" and/or "photograph" as defined in Rule 1001 of the Federal Rules of Evidence including but not limited to the original, copy or electronic version of anything handwritten, typewritten, printed, photostatic, photographic, computer, magnetic impulse, mechanical, electronic, or electronically recorded, or any other form of data compilation; this also includes but is not limited to any Electronically Stored Information ("ESI"), emails, texts, deposition transcripts, articles, notes, letters, correspondence, memos, communications of any kind, etc.

4. "EVIDENCE" includes any facts, witnesses (including contact information), statements, video, pictures, photos, recordings, documents, writings, depositions, transcripts, interviews, data, compilations, reports, productions and any other evidence of any kind whatsoever.

5. The words "INJURY" and "INJURIES" mean and refer to any physical, mental, psychological, psychiatric or emotional injuries of any kind.

6. The term "MEDICAL EXPENSES" refers to any costs, charges, expenses or fees for medical care, including but not limited to any medications, treatment and hospital expenses.

7. The terms "YOU" and "YOUR" mean and refer to plaintiff RUBEN JUAREZ and anyone acting on his behalf, including, but not limited to, attorneys, investigators, insurers, and any other agents.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All DOCUMENTS which support or in any way relate to YOUR allegations against DEFENDANT in this case.

REQUEST FOR PRODUCTION NO. 2:

All DOCUMENTS which support or in any way relate to YOUR first cause of action (Negligence) in YOUR COMPLAINT.

REQUEST FOR PRODUCTION NO. 3:

1 All DOCUMENTS which support or in any way relate to YOUR claim that YOU were
2 subjected to a "foreseeable risk of harm."

3 **REQUEST FOR PRODUCTION NO. 4:**

4 All DOCUMENTS which support or in any way relate to YOUR second cause of action
5 (Strict Product Liability) in YOUR COMPLAINT.

6 **REQUEST FOR PRODUCTION NO. 5:**

7 All DOCUMENTS which establish or in any way relate to any alleged "design defect" of
8 the PVA 350.

9 **REQUEST FOR PRODUCTION NO. 6:**

10 All DOCUMENTS which in any way relate to any warning which YOU contend should
11 have been provided, but was not provided, for the PVA 350.

12 **REQUEST FOR PRODUCTION NO. 7:**

13 All DOCUMENTS which support or in any way relate to YOUR explanation of how the
14 PVA 350 should have been designed in order to prevent YOUR injuries as alleged in YOUR
15 COMPLAINT.

16 **REQUEST FOR PRODUCTION NO. 8:**

17 All DOCUMENTS which support or in any way relate to YOUR claim that Defendant's
18 negligence "was a substantial factor in causing Plaintiffs' harm."

19 **REQUEST FOR PRODUCTION NO. 9:**

20 All DOCUMENTS which support or in any way relate to YOUR claim that the PVA
21 350's failure to perform safely "was a substantial factor in causing Plaintiffs' harm."

22 **REQUEST FOR PRODUCTION NO. 10:**

23 All DOCUMENTS which establish or in any way relate to any INJURIES YOU allege
24 were caused, or were in any way contributed to, by the PVA 350, as alleged in YOUR
25 COMPLAINT.

26 **REQUEST FOR PRODUCTION NO. 11:**

27 All DOCUMENTS which support or in any way relate to any MEDICAL EXPENSES
28

1 which YOU incurred related to any INJURIES YOU allege in the COMPLAINT.

2 **REQUEST FOR PRODUCTION NO. 12:**

3 All DOCUMENTS which establish or in any way relate to any (past and future) lost
4 income (including but not limited to wage loss) that YOU incurred related to any INJURIES
5 YOU allege in the COMPLAINT.

6 **REQUEST FOR PRODUCTION NO. 13:**

7 All DOCUMENTS which evidence or in any way relate to what YOU did to determine
8 what caused Ruben Juarez's injuries which are alleged in the COMPLAINT.

9 (As used in this request for production, the term "DESCRIBE" means to list everything
10 YOU did including but not limited to any investigation, research, internet research, questions, and
11 communications, and exactly when, by date, it was done.)

12 **REQUEST FOR PRODUCTION NO. 14:**

13 All DOCUMENTS which establish or in any way relate to whether plaintiffs' lawsuit is
14 barred by the two-year statute of limitations found in Code of Civil Procedure section 335.1.

15 **REQUEST FOR PRODUCTION NO. 15:**

16 All DOCUMENTS which show the amount of income that Ruben Juarez earned each
17 month and year from 2007 to the present (including but not limited to any tax records, payment
18 records, payment stubs, earnings statements, social security earnings statements, etc.).

19 **REQUEST FOR PRODUCTION NO. 16:**

20 YOUR most up-to-date resume and/or curriculum vitae.

21 **REQUEST FOR PRODUCTION NO. 17:**

22 All DOCUMENTS which evidence or in any way relate to YOUR workers' compensation
23 claim made for INJURY or INJURIES during YOUR employment with Space Exploration

Becherer
Kannett &
Schweitzer

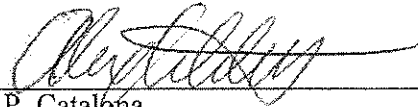
2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600

1 Technologies Corporation, also known as SpaceX.

2
3 Dated: July 17, 2017

BECHERER KANNETT & SCHWEITZER

4
5
6 By:


Alex P. Catalóna
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

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Kannett &
Schweitzer

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24 2200
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Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA	)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,		
Plaintiffs,		[Los Angeles County Superior Court Case No. BC650229]
v.	)	CERTIFICATE OF SERVICE
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On July 17, 2017, I caused to be served the foregoing:

**DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S
REQUESTS FOR PRODUCTION OF DOCUMENTS AND
ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF
RUBEN JUAREZ, SET NO. ONE**

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
315 Montgomery Street, 9th Floor
San Francisco, California 94104
Telephone: (415) 423-3377

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

Facsimile: (888) 646-5493

Email: teresa@lawofficesofteresali.com

☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed in the United States Mail at Emeryville, California. I am familiar with the mail collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

☒ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile number(s) of the addressee(s) designated.

Executed on July 17, 2017.


Jerry M. Dumlao

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

EXHIBIT 19

1 Teresa Li (Bar No. 278779)
2 teresa@lawofficesofteresali.com
3 LAW OFFICES OF TERESA LI P.C.
315 Montgomery Street, 9th Floor
4 San Francisco, California 94104
Telephone: 415.423.3377
Facsimile: 888.646.5493

5 Attorneys for Plaintiffs
6 RUBEN JUAREZ AND ISELA
HERNANDEZ

7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11 RUBEN JUAREZ, an individual and
12 ISELA HERNANDEZ, an individual,

13 Plaintiff,

14 v.

15 PRECISION VALVE & AUTOMATION,
16 Inc., a corporation and DOES 1-20,

17 Defendants.
18

Case No. CV-03342-ODW(GJSX)

**PLAINTIFF RUBEN JUAREZ'S RESPONSE
TO DEFENDANT'S REQUEST FOR
PRODUCTION OF DOCUMENTS AND
ELECTRONICALLY STORED
INFORMATION (ESI), SET ONE (1)**

19 **PROPOUNDING PARTY: DEFENDANT, PRECISION VALVE & AUTOMATION**

20 **RESPONDING PARTY: PLAINTIFF, RUBEN JUAREZ**

21 **SET NUMBER: ONE**

22 Pursuant to Federal Rules of Civil Procedure Rule 34, Plaintiff RUBEN JUAREZ hereby
23 responds to Defendant PRECISION VALVE & AUTOMATION, INC.'s request for production
24 of documents and electronically stored information, set one (1).

25 **RESPONSES TO PRODUCTION OF DOCUMENTS AND ELECTRONICALLY**
26 **STORED INFORMATION**

27 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 1**

28 All DOCUMENTS which support or in any way relate to YOUR allegations against

1 DEFENDANT in this case.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

3 The request is overly broad, unduly burdensome, and oppressive. It also seeks
4 information that protected by the attorney-client privilege and the attorney work product doctrine.
5 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
6 subject thereto, Plaintiff responds: plaintiff has complied.

7 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 2**

8 All DOCUMENTS which support or in any way relate to YOUR first cause of action
9 (Negligence) in YOUR COMPLAINT.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

11 The request is overly broad, unduly burdensome, and oppressive. It also seeks
12 information that protected by the attorney-client privilege and the attorney work product doctrine.
13 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
14 subject thereto, Plaintiff responds: plaintiff has complied.

15 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 3**

16 All DOCUMENTS which support or in any way relate to YOUR claim that YOU were
17 subjected to a "foreseeable risk of harm."

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

19 The request is overly broad, unduly burdensome, and oppressive. It also seeks
20 information that protected by the attorney-client privilege and the attorney work product doctrine.
21 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
22 subject thereto, Plaintiff responds: plaintiff has complied.

23 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 4**

24 All DOCUMENTS which support or in any way relate to YOUR second cause of action
25 (Strict Product Liability) in YOUR COMPLAINT.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

27 The request is overly broad, unduly burdensome, and oppressive. It also seeks
28 information that protected by the attorney-client privilege and the attorney work product doctrine.

1 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
2 subject thereto, Plaintiff responds: plaintiff has complied.

3 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 5**

4 All DOCUMENTS which establish or in any way relate to any alleged "design defect" of
5 the PVA 350.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

7 The request is overly broad, unduly burdensome, and oppressive. It also seeks
8 information that protected by the attorney-client privilege and the attorney work product doctrine.
9 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
10 subject thereto, Plaintiff responds: plaintiff has complied.

11 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 6**

12 All DOCUMENTS which in any way relate to any warning which YOU contend should
13 have been provided, but was not provided, for the PVA 350.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

15 The request is overly broad, unduly burdensome, and oppressive. It also seeks
16 information that protected by the attorney-client privilege and the attorney work product doctrine.
17 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
18 subject thereto, Plaintiff responds: plaintiff has complied.

19 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 7**

20 All DOCUMENTS which support or in any way relate to YOUR explanation of how the
21 PVA 350 should have been designed in order to prevent YOUR injuries as alleged in YOUR
22 COMPLAINT.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

24 The request is overly broad, unduly burdensome, and oppressive. It also seeks
25 information that protected by the attorney-client privilege and the attorney work product doctrine.
26 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
27 subject thereto, Plaintiff responds: plaintiff has complied.

28 ///

1 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 8**

2 All DOCUMENTS which support or in any way relate to YOUR claim that Defendant's
3 negligence "was a substantial factor in causing Plaintiffs' harm."

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

5 The request is overly broad, unduly burdensome, and oppressive. It also seeks
6 information that protected by the attorney-client privilege and the attorney work product doctrine.
7 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
8 subject thereto, Plaintiff responds: plaintiff has complied.

9 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 9**

10 All DOCUMENTS which support or in any way relate to YOUR claim that the PVA's
11 failure to perform safely "was a substantial factor in causing Plaintiffs' harm."

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

13 The request is overly broad, unduly burdensome, and oppressive. It also seeks
14 information that protected by the attorney-client privilege and the attorney work product doctrine.
15 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
16 subject thereto, Plaintiff responds: plaintiff has complied.

17 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 10**

18 All DOCUMENTS which establish or in any way relate to any INJURIES YOU allege
19 were caused, or were in any way contributed to, by the PVA 350, as alleged in YOUR
20 COMPLAINT.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

22 The request is overly broad, unduly burdensome, and oppressive. It also seeks
23 information that protected by the attorney-client privilege and the attorney work product doctrine.
24 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
25 subject thereto, Plaintiff responds: plaintiff has complied.

26 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 11**

27 All DOCUMENTS which support or in any way relate to any MEDICAL EXPENSES
28 which YOU incurred related to any INJURIES YOU allege in the COMPLAINT.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

2 Plaintiff has complied.

3 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 12**

4 All DOCUMENTS which establish or in any way relate to any (past and future) lost
5 income (including but not limited to wage loss) that YOU incurred related to any INJURIES
6 YOU allege in the COMPLAINT.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

8 The request is overly broad, unduly burdensome, and oppressive. It also seeks
9 information that protected by the attorney-client privilege and the attorney work product doctrine.
10 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
11 subject thereto, Plaintiff responds: plaintiff has complied.

12 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 13**

13 All DOCUMENTS which evidence or in any way relate to what YOU did to determine
14 what caused Ruben 'Juarez's injuries which are alleged in the COMPLAINT.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

16 The request is overly broad, unduly burdensome, and oppressive. It also seeks
17 information that protected by the attorney-client privilege and the attorney work product doctrine.
18 It also seeks a premature disclosure of expert opinions. Without waiving the objections and
19 subject thereto, Plaintiff responds: plaintiff has complied.

20 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 14**

21 All DOCUMENTS which establish or in any way relate to whether plaintiffs' lawsuit is
22 barred by the two-year statute of limitations found in Code of Civil Procedure section 3351.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

24 The request seeks information that protected by the attorney-client privilege and the
25 attorney work product doctrine. Without waiving the objections and subject thereto, Plaintiff
26 responds: plaintiff has complied.

27 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 15**

28 All DOCUMENTS which show the amount of income that Ruben Juarez earned each

1 month and year from 2007 to the present (including but not limited to any tax records, payment
2 records, payment stubs, earnings statements, social security earnings statements, etc.).

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

4 The request seeks information that protected by the attorney-client privilege, the attorney
5 work product doctrine, and tax return privilege. Without waiving the objections and subject
6 thereto, Plaintiff responds: plaintiff has produced his W2 from 2012 to 2014. Plaintiff has not
7 worked since then due to his illness.

8 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 16**

9 YOUR most up-to-date resume and/or curriculum vitae.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

11 Plaintiff will comply.

12 **REQUEST FOR PRODUCTION OF DOCUMENTS NO. 17**

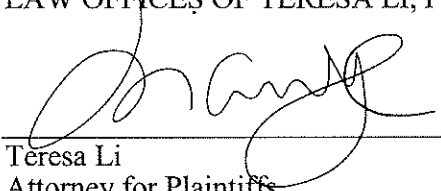
13 All DOCUMENTS which evidence or in any way relate to YOUR workers' compensation
14 claim made for INJURY or INJURIES during YOUR employment with Space Exploration.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

16 The request is not relevant. It also seeks information that is protected by the attorney-
17 client privilege and work product doctrine. Without waiving the objections and subject thereto,
18 Plaintiff does not have his workers' compensation file. Plaintiff has requested the files from his
19 workers' compensation attorney but still does not have it. However, Defendant has subpoenaed
20 Plaintiff's workers' compensation file, so it should be produced shortly.

21 Dated: September 7, 2017

LAW OFFICES OF TERESA LI, P.C.

22
23
24 
25 Teresa Li
26 Attorney for Plaintiffs
27 RUBEN JUAREZ AND ISELA
28 HERNANDEZ

PROOF OF SERVICE

State of California, County of San Francisco

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is 315 Montgomery Street, 9th Floor, San Francisco, CA 94104.

On the date listed below, I served the following documents: in the manner and/or manners described below to each of the parties herein and addressed as stated below:

- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF ISELA HERNANDEZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR INTERROGATORIES, SET ONE (1)**
- **PLAINTIFF RUBEN JUAREZ'S RESPONSE TO DEFENDANT'S REQUEST FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI), SET ONE (1)**

Shahrad Milanfar
smilanfar@bkscal.com
Alex P. Catalona
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608

____ United States Postal Service, U.S. Mail, with First Class postage prepaid and deposited in a sealed envelope at San Francisco, CA. I am readily familiar with the business practice at my place of business for collection and processing of correspondence for mailing with the United States Postal Service. Correspondence so collected and processed is deposited with the United States Postal Service that same day in the ordinary course of business.

____ Facsimile Transmission

____ Hand delivery by Courier: same day delivery

 X Other: E-Mail. pdf attachment

1
2 I certify and declare under penalty of perjury under the laws of the State of California that
3 the foregoing is true and correct.

4 Executed on September 8, 2017, at San Francisco, California. .

5 Teresa Li
6 Type or Print Name

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Signature

EXHIBIT 20

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
BECHERER KANNETT & SCHWEITZER
1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and ISELA
HERNANDEZ, an individual,

Plaintiffs,

vs.

PRECISION VALVE & AUTOMATION, Inc., a
corporation and DOES 1-20,

Defendants.

Case No.: CV17-03342-ODW(GJSX)

**DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND ELECTRONICALLY STORED
INFORMATION (ESI) TO PLAINTIFF
ISELA HERNANDEZ, SET NO. ONE**

PROPOUNDING PARTIES:

Defendant PRECISION VALVE &
AUTOMATION, INC.

RESPONDING PARTY:

Plaintiff ISELA HERNANDEZ

SET NO:

ONE

Defendant PRECISION VALVE & AUTOMATION, INC. requests that the responding party, plaintiff ISELA HERNANDEZ, respond to the following requests for production of documents and electronically stored information (ESI) (hereinafter "Requests For Production"), under oath, within thirty (30) days, pursuant to Federal Rule of Civil Procedure 34.

DEFINITIONS APPLICABLE TO ALL REQUESTS FOR PRODUCTION

1. The term "COMPLAINT" refers to the Complaint filed on behalf of plaintiffs Ruben Juarez and Isela Hernandez in the Superior Court of California, County of Los Angeles, on February 28, 2017.

-1-

DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUESTS FOR PRODUCTION OF
DOCUMENTS AND ELECTRONICALLY STORED INFORMATION (ESI) TO PLAINTIFF ISELA
HERNANDEZ, SET NO. ONE

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600

1 2. “DEFENDANT” means PRECISION VALVE & AUTOMATION, INC.

2 3. The terms “DOCUMENT” and “DOCUMENTS” mean any “writing”, “recording”
3 and/or “photograph” as defined in Rule 1001 of the Federal Rules of Evidence including but not
4 limited to the original, copy or electronic version of anything handwritten, typewritten, printed,
5 photostatic, photographic, computer, magnetic impulse, mechanical, electronic, or electronically
6 recorded, or any other form of data compilation; this also includes but is not limited to any
7 Electronically Stored Information (“ESI”), emails, texts, deposition transcripts, articles, notes,
8 letters, correspondence, memos, communications of any kind, etc.

9 4. “INJURIES” means any injuries and/or damages including but not limited to the
10 loss of love, care companionship, comfort, assistance, protection, society and moral support from
11 Ruben Juarez.

12 5. The terms “YOU” and “YOUR” mean and refer to plaintiff ISELA HERNANDEZ
13 and anyone acting on his behalf, including, but not limited to, attorneys, investigators, insurers,
14 and any other agents.

15 **REQUESTS FOR PRODUCTION**

16 **REQUEST FOR PRODUCTION NO. 1:**

17 All DOCUMENTS which support or in any way relate to YOUR allegations against
18 DEFENDANT in this case.

19 **REQUEST FOR PRODUCTION NO. 2:**

20 All DOCUMENTS which support or in any way relate to YOUR cause of action for Loss
21 of Consortium (Third Cause of Action) in the COMPLAINT.

22 **REQUEST FOR PRODUCTION NO. 3:**

23 All DOCUMENTS which support or in any way relate to YOUR claim that Defendant’s
24 wrongful conduct, acts and/or omissions “were a substantial factor in causing Plaintiff ISELA
25 HERNANDEZ to sustain loss of love, care companionship, comfort, assistance, protection,
26 society, moral support from Plaintiff RUBEN JUAREZ” as alleged in the COMPLAINT.

27 **REQUEST FOR PRODUCTION NO. 4:**

1 All DOCUMENTS which document or relate to INJURIES which YOU allege were
2 caused, or were in any way contributed to, by Defendant's wrongful conduct, acts and/or
3 omissions, as alleged in YOUR COMPLAINT.

4 **REQUEST FOR PRODUCTION NO. 5:**

5 All DOCUMENTS which document or relate to anything YOU did to determine what
6 caused Isela Hernandez's injuries which are alleged in the COMPLAINT.

7 **REQUEST FOR PRODUCTION NO. 6:**

8 All DOCUMENTS which establish or in any way relate to whether plaintiffs' lawsuit is
9 barred by the two-year statute of limitations found in Code of Civil Procedure section 335.1.

10 **REQUEST FOR PRODUCTION NO. 7:**

11 YOUR most up-to-date resume and/or curriculum vitae.

12
13
14 Dated: July 17, 2017

BECHERER KANNETT & SCHWEITZER

15
16 By: 

Alex P. Catalona
Attorney for Defendant
PRECISION VALVE & AUTOMATION, INC.

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19
20
21
22 Becherer
Kannett &
Schweitzer

23
24 2200
Powell St.
Suite 805
Emeryville, CA
94608
510-658-3600
25
26
27
28

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
Alex P. Catalona (SBN 200901)
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1255 Powell Street
Emeryville, CA 94608
Telephone: (510) 658-3600
Facsimile: (510) 658-1151

Attorneys for Defendant
PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ an individual and ISELA)	CASE NO. 2:17-cv-03342 ODW (GJSx)
HERNANDEZ, an individual,		
Plaintiffs,		[Los Angeles County Superior Court Case No. BC650229]
v.	)	CERTIFICATE OF SERVICE
PRECISION VALVE & AUTOMATION,)	
INC., a corporation and DOES 1-20,)	
)	
Defendants.)	

I, Jerry M. Dumlao, declare that I am employed in the County of Alameda, State of California; I am over the age of eighteen (18) years and not a party to the within entitled action; my business address is 1255 Powell Street, Emeryville, California 94608.

On July 17, 2017, I caused to be served the foregoing:

**DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S REQUESTS
FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED
INFORMATION (ESI) TO PLAINTIFF ISELA HERNANDEZ, SET NO. ONE**

In said action by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as follows:

Attorneys for Plaintiff

Teresa Li, Esq.
LAW OFFICES OF TERESA LI, PC
315 Montgomery Street, 9th Floor
San Francisco, California 94104
Telephone: (415) 423-3377
Facsimile: (888) 646-5493

Becherer
Kannett &
Schweitzer

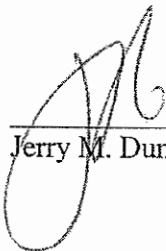
1255
Powell St.
Emeryville, CA
94608
510-658-3600

Email: teresa@lawofficesofteresali.com

☒ (By Mail) I deposited such envelope with postage thereon fully prepaid to be placed in the United States Mail at Emeryville, California. I am familiar with the mail collection practices of Becherer Kannett & Schweitzer Attorneys and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

☒ (Via Facsimile) I caused said document(s) to be transmitted to the facsimile number(s) of the addressee(s) designated.

Executed on July 17, 2017.


Jerry M. Dumlao

Becherer
Kannett &
Schweitzer

1255
Powell St.
Emeryville, CA
94608
510-658-3600